THE JUDGMENT OF Dr. *Prideaux*,

In Condemning the Murder of *JULIUS CÆSAR*, by the *Conspirators*, as a most Villanous Act, maintain'd:

AND

The Sophistry in the *London Journals* of *December*, the 2d, *and* 9th, Expos'd.

WITH

Some *Political Remarks* on the ROMAN GOVERNMENT.

Expediebat ægræ quasi saucixque reipublicæ requiescere quomodocumque, ne vulnera curatione ipsa rescinderentur. Flor.

Si verò ad humanos casus, incertosque eventus valetudinis, scelevis etiam accedat insidiarumque consensio, quem Deum, etiamsi cupiat, opitulari posse reipublicæ credamus.
Cic. pro Marcel.

LONDON,
Printed, and Sold by *J. Roberts*, in *Warwick Lane*, 1721.

THE JUDGMENT OF Dr. *Prideaux*, &c.

THE Reaſon of Writing this Paper, is not ſo much to vindicate Dr. *Prideaux*, as to expoſe a Doctrine, which, at the ſame Time that it encourages private Conſpiracies and Aſſaſſinations, tends to introduce univerſal Anarchy and Confuſion, and make void all the Engagements Men can be under to Government.

In relating this Matter, I ſhall mention inconteſted Facts only, and have Recourſe, chiefly, to the *Hiſtory of the Revolution of the* Roman

Roman *Republick*; written by the moſt Impartial, as well as moſt Judicious Abbot *Vertot*, now tranſlated into *Engliſh*. A Treatiſe, which all Gentlemen ought to read, ſince it will not only give them a clear View of the *Roman* Government, and all its frequent Changes; but make them beſt underſtand the Workings of human Nature, and cauſe them highly to value their own Conſtitution.

After the Ending of the Civil Wars, *Julius Cæſar* govern'd the *Roman* Empire, as *Petavius* ſays, and not without juſt Grounds, for *about Four Years*, tho' Others ſay, *only Three Years*, in great Peace and Quiet; the People almoſt ador'd him, and not without juſt Reaſon, ſince he treated them, not only during his Life, with the utmoſt Tenderneſs; but extended a Sort of Fatherly Indulgence to them, even after his Death; giving them his Gardens, and to each Citizen the Sum of 300 *Seſterces*. 'Sentiments of Grief and Gratitude, ſays 'Vertot, forc'd Tears from the whole Aſ- 'ſembly, when they heard that that Great 'Man, of whom they had receiv'd ſo 'many Favours during his Life, had ex- 'tended his Good Will towards them, e- 'ven beyond his Life, by new Liberalities.

The *Senate* were not behind the People in their Acknowledgments, they made him

him Conſul for Ten Years, and which was in a manner, giving him the whole Power, created him *Perpetual Dictator*; they, likewiſe, gave him the Name of *Emperor*, and the Auguſt Title of *Father of his Country*; and to ſecure him from all private Conſpiracies, they declar'd his *Perſon Sacred* and *Inviolable*; and that nothing ſhou'd be wanting on their Part, they bound themſelves to him with moſt ſolemn Oaths; and among other Marks of their Gratitude, they, to eternize his Memory, not only decreed, that *He ſhou'd ſit at all Publick Games in a gilded Chair, with a golden Crown on his Head*; but that *After his Deceaſe, that Chair and Crown ſhou'd be plac'd at all Publick Feaſts*; and none courted, and careſs'd him more than thoſe Senators, who afterwards aſſaſſinated him.

Theſe Men, *Cæſar*, (reſolving, if poſſible, to bury the Memory of the Civil War, and to make no Diſtinction between Parties) took into his Friendſhip and Intimacy, and beſtow'd the beſt Preferments of the Empire on them: *Decimus Brutus* was General of the Horſe, and at that very Time, when he ungratefully ſtabb'd his Benefactor, was deſign'd *Conſul* for the enſuing Year, and Governor of *Gallia Ciſalpina*; and yet further, was to have been his Heir, if *Octavius*, his Nephew, had

had miſcarry'd; *Marcus Brutus*, whom he had loaded with Favours, and *Caſſius*, were *Prætors* at that very Time they aſſaſſinated him.

The Conſpirators did not pretend, that *Cæſar*, during his Government, had exceeded that Power the Senate ſolemnly inveſted him with; or had abus'd it by any one Act; or that his Adminiſtration was not equal, and mild beyond Expectation; and yet thus honour'd with his Friendſhip, thus loaded with his Favours, they aſſaſſinated him. The Queſtion is, Whether, conſidering all theſe Circumſtances, the Killing *Cæſar* in the Manner they did, was a baſe and villanous, or a brave and heroick Action? Dr. *Prideaux* aſſerts the former, and *Cato*, in the *London Journal*, the latter; and beſtows the higheſt Commendations on *Marcus Brutus*, the Chief of the Conſpirators.

One wou'd think, that whether *Cæſar* was a lawful Magiſtrate, or not, that the Conſpirators were highly criminal, either in Aſſaſſinating a lawful Governor, or elſe Owning, in the moſt ſolemnly Manner, a Tyrant and Uſurper; and Enriching themſelves with the beſt Poſts this Tyrant and Uſurper cou'd beſtow.

Cato is ſo far from making their monſtrous Ingratitude, their groſs Hypocriſy,

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Treachery, Perfidy, and Perjury, to be Crimes; that he ſuppoſes, the Conſpirators did nothing, but what became Virtuous Men, in Entring into thoſe Engagements with *Cæſar*; and that theſe were ſo far from being obligatory, that they were juſt Motives to encourage them to go on in their Deſign of Murdering *Cæſar*; and that for this Reaſon, *Brutus* was the moſt proper Perſon.

Thoſe Motives, ſure, that are Encouragements to murder one Prince, can never be Ties of Obedience to another; and if it is lawful to give thoſe Aſſurances the Conſpirators did, and thoſe may lawfully be broken thorow; what will become of all the mutual Obligations that can be between Men?

What greater Tye can there be than an Oath, which, if not for the Sake of Man, yet upon the Account of Religion, and for the Sake of God, ought, certainly, to be kept moſt ſacred? yet it was a Maxim with our *Cato*'s Hero, the Virtuous *Brutus*, that no Faith, no, not the moſt ſacred Oath, was to be kept with a Tyrant; *Cum Tyranno, Romanis nulla fides, nulla jurisjurandi Religio.* One wou'd think, New *Rome* had from hence borrow'd its *Not keeping Faith with Hereticks.* I refer the Reader to *Grotius* (*De Jure, l.* 2. *c.* 13.)

13.) who has ſolidly confuted this impious Maxim.

The main Argument, which *Cato* makes uſe of, to juſtify the Conſpirators in Aſſaſſinating *Cæſar*, is, 'That Every *Roman* had 'a Right to uſe *Cæſar* as he thought fit; be-'cauſe he was in a State of Nature with 'Relation to him.' To prove which, he ſays, 'The Right, which, in the State of 'Nature, every Man had of repelling, and 'revenging Injuries, in ſuch a Manner, as 'every Man thought beſt, is transferr'd to 'the Magiſtrate, when Political Societies 'are form'd, and Magiſtracy eſtabliſh'd; 'but muſt return to private Men again, 'when the Society is diſſolv'd; which Diſ-'ſolution may happen, either thro' the na-'tural Demiſe of the Perſons entruſted 'with the Publick Authority, where there 'is no Proviſion made in the Conſtitution 'for Others to ſucceed; or when by a ſu-'perior and unlawful Force, they are re-'ſtrain'd from Anſwering the great End 'of their Truſt, in Protecting the In-'nocent; an End, for which alone Men 'part with their Natural Rights, and 'become the Members and Subjects of 'Society.

If, as *Cato* contends, the former Government was diſſolv'd, and the Right, which each ſingle Perſon had in the State of

of Nature, reverted to him; the People muſt have the ſame Right to inveſt *Cæſar* with the Government, as if they had never been under any former Power; or had always been in a State of Nature; there cou'd be no Civil or Political Laws to hinder them; becauſe thoſe muſt be diſſolv'd with the Government, to which they ow'd all their obliging Vertue; and Men in the State of Nature cou'd be under no Law, but the grand Law of Self Preſervation; by which, they were oblig'd to take *Cæſar* for their Governor, as the only Perſon, who had the Power of Protecting them. Tho' *Cæſar* had done ever ſo ill, in Diſſolving the former Government; that, ſure, cou'd not take from the People, for whoſe ſake all Government is inſtituted, a Right to act as they thought beſt, for their own Safety. Wou'd *Cæſar*'s doing them one Injury, oblige them to do themſelves the greateſt, remaining in a State of Nature, which is worſe than the worſt of Governments?

After *Cato* has laid down this Fundamental Truth, upon which his whole Reaſoning is built; how impertinent are all his Harangues about Force giving no Right; ſince, if Force, as he owns, can diſſolve the former Government, and reduce People to a State of Nature, no more

is desir'd to found a Right for *Cæsar*. If he wou'd have spoken to the Purpose, he shou'd have endeavour'd to prove, that the People of *Rome*, reduc'd to this unhappy State by unlawful Force, were oblig'd either to continue in it, and thereby become a Prey to each other; or to that Superior Power, which dissolv'd the former Government; or else that they, tho' not able to subsist without Government, after they have had Recourse for Protection, to the only Power that cou'd protect them, and by their Words and Actions, oblig'd themselves to pay it Allegiance, were at Liberty to murder, and assassinate their Protector.

I grant, that as long as any One uses those, he, by Force, gets into his Power otherwise than is consistent with the Nature of Civil Government, he has no Right to their Obedience; this Right does not commence till he takes them into his Protection, and they are willing to have Recourse to him, for the Benefits that flow from Civil Government.

If the People of *Rome* were not under Government, when *Cæsar* was at the Head of their Affairs, there never was any such Thing as Government; nor cou'd there be any such Thing as Owning a Government, if what they did was not

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Owning That of *Cæſar*'s; ſince the Bulk of Mankind never own'd any Government, but by accepting Protection under it; and where there are Verbal Aſſurances given, as all poſſible were given by the Conſpirators and Senate, that does not grant a new Right; but only a freſh Aſſurance to pay that Obedience due for the ſake of that Protection; which, without it, was impoſſible to be had.

If *Cæſar* was incapable of having his Government convey'd to him, by People own'd to be in a State of Nature; it either muſt be, becauſe he unjuſtly gain'd that Power, by which he diſſolv'd the former Government; which wou'd make all his Succeſſors as incapable, who, as unjuſtly kept that Power he unjuſtly gain'd; and a Continuance in Wrong will never make Wrong become Right; and conſequently, the Right of the former Governors, whether ſingle Perſons, Senate, or People, and thoſe who were to ſucceed them, will continue as long as any of them continue in Being. There have been many, very many, as unjuſtifiable Turns in every Nation, as well as in this at *Rome* by *Cæſar*; and yet there is no Inſtance, that ever any People ſcrupl'd to own thoſe for their Sovereigns; who, by deſtroying the former Government, got into

into their Hands the Power of Protecting them: And if what the People of *Rome*, eſpecially the Conſpirators did, was not Tying themſelves down to Obedience, there can be no Ties between Governors and Governed; and nothing can follow, but an univerſal Anarchy and Confuſion.

They who are uppermoſt, upon any Revolution, are, for their own Safety, oblig'd to treat thoſe as their irreconcileable Enemies; who, after they have giv'n them ſuch Pledges of Faith, and Security for Obedience, as the Conſpirators gave to *Cæſar*, ſhall think it an Heroick Action to deſtroy them; either by open Rebellion, or private Aſſaſſination. This is ſuch a Doctrine, as wou'd quickly turn Frontier Places, which often change Maſters, into meer Deſerts, and, by Degrees, thin the reſt of the World; and conſequently, the Promoters of this Principle muſt be eſteem'd Enemies of Mankind.

If what the Conſpirators acted, did occaſion infinite Miſchiefs; If the Proſcription, which follow'd, was ſo extreamly bloody; was it not all owing to this? The *Triumvirate*, after this Act, cou'd not think themſelves ſafe, as long as any ſurviv'd, that cou'd give Diſturbance; and the ſucceeding Emperors, if ever they were enclin'd to Mercy, were, no doubt, check'd

check'd by the Thoughts of what *Cæſar* ſuffer'd from his Clemency; and it is not unlikely, the Governors of other Nations have reaſon'd after the ſame Manner.

Jealouſy is, almoſt, inſeparable from Power; and 'tis eaſy to imagine what Thoughts they had, when they conſider'd, that if *Julius* cou'd not diſarm his Enemies by Clemency, and numberleſs good Offices; if *Octavius* was ſafe by a bloody Proſcription; if *Julius* loſt his Life by parting with his Guards, and putting his Perſon in the Power of Men, who broke thorow all the Ties of Fidelity and Gratitude, to murder him; cou'd they, in common Prudence, diſarm themſelves, and truſt to the Proteſtations of ungrateful, and perfidious Citizens? I wou'd know from *Cato*, to what other End his Praiſe of the Conſpirators, and Commending what they did, can tend; but to encourage bloody Proſcriptions on one hand, and on the other Villanous Aſſaſſinations, even in all Places; except there be a Place, where no Body diſapproves the Right and Title of the Governor.

But becauſe this Writer, out of his peculiar Modeſty, aſſumes the Name of *Cato*; let us ſee, whether the true *Cato* wou'd have acted this Part. It had been Folly, or Madneſs, in him to deſtroy himſelf, if he

he thought it brave and heroick, to act for a long Time together with vile and baſe Diſſimulation; and ſcruple at no means whatever, to gain a Confidence in *Cæſar*; tho' with no other View, than that, by having free Acceſs to his Perſon, he might gain the faireſt Opportunity of Aſſaſſinating him. He muſt have abhorr'd the Thought of ſuch an Action, as much as the *Romans* did the treacherous Propoſal of the Phyſician of King *Phyrrhus*; which they rejected with Scorn; tho' they might by Accepting it, have ſecur'd the Common Wealth, then in the utmoſt Danger, from the Arms of that King: And *Cato*, had he not deteſted this Act, wou'd have had leſs Vertue than the People of *Rome*; who, to their Immortal Honour, in a full Aſſembly, condemn'd thoſe infamous Wretches, the Conſpirators, to Death.

If *Cato* had thought, after what the People and Senate had done, in Owning *Cæſar*'s Government, that he was not a Lawful Magiſtrate, he wou'd never have join'd with him in Sharing the Spoils of the Common Wealth, and acted as his Deputy, and Inſtrument of his Tyranny and Uſurpation; he wou'd never have ſatisfy'd himſelf with ſuch poor Excuſes, which our *Cato* makes for *Brutus*; viz.

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'That thoſe were hollow, and deſtructive 'Favours; and it was High Treaſon to be 'Author of them; and was not Death ſig-'nally due to ſuch High Treaſon? *Brutus*, 'therefore, made the propereſt Return. A mean *Genius* wou'd think this but an odd Way of Extolling an Hero; and he wou'd be ſo weak as to imagine, that if it was High Treaſon in *Cæſar*, to offer *Brutus* thoſe Favours, it was no leſs Treaſon in *Brutus* to have accepted them.

Cato ſays, "It was not in the Power "of *Brutus* to alter his Allegiance, which "he had already engag'd to the Common "Wealth; which had done nothing to "forfeit the ſame; for how lawful ſoe-"ver it may be, for Subjects to transfer "their Obedience to a Conqueror in a "Foreign War, when the former Civil "Power can no longer protect them;—— "it is ridiculous to ſuppoſe they can "transfer it to a Domeſtick Traitor."

If the old Government was not diſſolv'd, then the Power which *Cæſar* had was conſiſtent with it; but if it was diſſolv'd, and the Right which every one had in the State of Nature reverted to him; What Allegiance cou'd be due from *Brutus* to a Non-Entity, or a Common Wealth not in Being? Cou'd any Relation between Governor and governed remain, when that

Government, the Foundation of this Relation, was deſtroy'd; and Men in a State of Nature, by which they were free to chooſe any other Form of Government, as that they were formerly under? I cou'd ask this Gentlemen a Number of Queſtions, but I ſhall confine my ſelf to three.

Firſt, Since 'tis a Queſtion on which a great deal depends in ſome Mens Opinions, how long Allegiance remains due to nothing, or a Government not in Being?

Secondly, If the Reaſon, why Obedience is no longer due to a former Government, when the People are under the Power of a Foreign Conqueror, is, becauſe the former Civil Power can no longer protect them; Why does not the Reaſon equally hold, when by Means of a Domeſtick Enemy, the former Civil Power can no longer protect the People? In either Caſe, the People, for whoſe ſake Government is inſtituted, have the ſame need of a new Protector; and if they may lawfully transfer their Allegiance to a Conqueror, tho' he unjuſtly deſtroy'd the former Government, Why ſhou'd the Injuſtice in the other Caſe, hinder the People from taking Care of their own Safety, by ſubmitting to that Power which can protect them?

Thirdly, If 'tis impoſſible to pay any Allegiance to a diſſolv'd Government, whe-

whether diſſolv'd by a Foreign or Domeſtick Enemy; Can what is impoſſible to be done, be requir'd more in one Caſe than the other?

Cato ſays, "That it is a moſt wicked, "and abſurd Poſition, to ſay, That a "whole People can ever be in ſuch a "Scituation, as not to have a Right to "protect, and defend themſelves." If this be moſt wicked and abſurd, it is, certainly, equally ſo to ſuppoſe, the whole People can be in ſuch a Scituation, where there is a Power to defend them; and yet thus it muſt be, if it be unlawful, to pay their Allegiance, without which no Protection can be had, to this Power: And even this Right wou'd be in vain, if every Man might take upon him, of his own Head, to murder their Protector; and thereby involve the People in all the Miſeries of a Civil War.

This was exactly the Caſe of the Conſpirators, who involv'd the State in new and greater Calamities, than ever it had hitherto ſuffer'd; and, at a time, when it had the greateſt Need of Reſt; which they were ſure of as long as the *Dictator* was alive; for who dar'd to conteſt with him: And this *Parricide* was, likewiſe, in Oppoſition to the People; who reveng'd

it as well as they cou'd, in Condemning the Conſpirators to dye.

Cato deſpiſes all thoſe Tyes and Engagements, by which the Conſpirators were bound to *Cæſar*, tho' as great and ſolemn as Men cou'd enter into; and ſays, 'Did not *Brutus* ſubmit to *Cæſar*, as inno-'cent Men are often forc'd to ſubmit to the 'Gallies, the Wheel, and the Gibbet? He 'ſubmitted as a Man robb'd, and bound, 'ſubmits to a Houſe-Breaker." Shou'd a Man now adays accept part of the ſtolen Goods; *Cato*, perhaps, might make that Apology for him; but others wou'd be apt to think, the Receiver as Criminal as the Thief: And if to be careſs'd by the firſt Man in the World, carries the Gallies, the Gibbet, the Wheel with it, few Men wou'd be afraid of ſuch Torments.

Nothing can carry more fatal Conſequences with it, than the ſuppoſing all ſuch Engagements, as the Conſpirators enter'd into with *Cæſar*, were void.

Under Government all Contracts gain'd by Fear, or Force, are made void; becauſe one End of Government is to prevent ſuch Force; but not to allow the Validity of ſuch Contracts made by People, who are not under the ſame Government, but in a State of Nature with relation to

one

one another, deſtroys the Obligations of moſt of thoſe Contracts, which different Nations have made, or can make with one another; becauſe, generally ſpeaking, there's a ſuperior Force on one Side, which makes the other agree to Diſadvantages: And which, in other Circumſtances, they wou'd not come into. This Notion, likewiſe, deſtroys the Right of moſt Governments, which never had been ſubmitted to; but upon Account of that ſuperior Force, which cou'd be employ'd either to the great Good, or Hurt of the People.

This not only deſtroys all the Right, which *Cato* himſelf allows all Foreign Conquerors may have; but all Agreements between Governors and governed, if ever they ſhou'd chance to have Diſputes concerning their Rights; ſince one Side or other wou'd not have come into thoſe Terms; but upon the Account of worſe Conſequences from a ſuperior Power. Upon this Suppoſition, *Magna Charta*, and all thoſe other Rights obtain'd by our Anceſtors Sword in hand, wou'd have all been null and void; and if different Parts of the Legiſlature, as King and Parliament, ſhou'd have any Quarrels, 'tis ſcarce poſſible they cou'd enter into any firm Engagement: And one wou'd gueſs by a noble Hiſtorian, that this Notion prevail'd

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at Court in *Ch.* Iſt's Time; and what was the ſad Conſequenee of it, I need not ſay.

To apply this to our preſent Purpoſe, moſt of the Privileges and Powers the People of *Rome* enjoy'd, were, thro' Force or Fear, extorted from the *Senate*, who wou'd never have granted them their *Tribunes*; or allow'd that *their Perſons* ſhou'd be *Sacred and Inviolable*; but for Fear of worſe Conſequences to themſelves: And if theſe *Tribunes* were lawful Magiſtrates, and their *Perſons ſacred and inviolable*; why was not *Cæſar* a lawful Magiſtrate, and *his Perſon as ſacred and inviolable?* Did not the Conſpirators, by this *monſtrous Action*, make all Agreements with them impracticable? what Aſſurances? what Pledges of Faith cou'd they give, which they had not already broke thorow? So that it was not the Intereſt of *Rome* only, but of Mankind, that ſuch execrable Villains ſhou'd be extirpated.

The only Objection to the Validity of ſuch Contracts, is, that then Men may gain by Injuring the Society in diſſolving the former Government, and enjoy in Peace and Quiet, a Power, which, without Rebellion, they cou'd never have got.

There's no State Men can be in, but ſome Inconveniences will attend it: No innocent Perſon, cou'd it be avoided, ought

to

to ſuffer; and yet this Inconvenience muſt frequently happen under any Government, in all Caſes, where the Good of a few, tho' ever ſo innocent, is inconſiſtent with the Good of the many; and yet This can be no Reaſon for diſſolving all Government: So tho' there may be ſome Inconveniences in keeping ſuch Contracts, yet if the Conveniences are much greater, they ought to be kept. Were there any Thing in this Argument, it wou'd equally hold againſt the Validity of all Contracts made with a Foreign Conqueror, who unjuſtly invades his Neighbours; but *Cato*, in ſuppoſing People may lawfully transfer their Allegiance, ſuppoſes the Lawfulneſs of ſuch Contracts.

We ſee, that Offenders of what Sort ſoever, even uuder Government, are not to be puniſh'd, if either by their Quality, their Number, or any other Reaſon, it wou'd be prejudicial to the Publick to puniſh them; and ſhall a Society deſtroy their own Peace and Quiet, becauſe they were formerly injur'd by their Now Protector? If it was their Good alone, which at firſt oblig'd them to pay Allegiance to any Government; Will not the ſame Reaſon now oblige them to pay it to that Government, which alone can protect them?

If the preſent Hazard Men run, in Endeavouring to ſubvert a ſettl'd Government,

ment, and the certain Puniſhment they will meet with hereafter, will not deter them; the Fear of Rebellion and Aſſaſſination, when they have ſucceeded, can have no other Effect, than to cauſe them to diſable thoſe they have got in their Power; tho' by the moſt cruel Means imaginable, from doing them any Hurt: And wou'd they not act like Mad-men, who ſhou'd ſo far reſent the Injury done them in diſſolving their old Government, as to do themſelves the greateſt Injury, by either remaining without Government, or after they had own'd it, to run into the Miſchief of a Civil War, to throw off that Power which protects them?

No Man, whatever Objections he may have to the Rightfulneſs of any Government; but thinks he himſelf has a Right to be protected by it: Which, certainly, infers a Right in the Government to all that Obedience, which is neceſſary to that End. Does not having Recourſe to a Government for Protection, ſuppoſe it a Right, nay, a Duty in that Government to uſe all that Power, which is neceſſary to defend Men from all Injuries, Foreign and Domeſtick? And can any Thing be more ſenſleſs, as well as wicked, for *Brutus*, or *Cato*, or any other Perſon whatever, to endeavour to deſtroy the Magiſtrate, for

Uſing

Using this Power at his Request, and for his Advantage?

If it was Criminal, nay, High-Treason, as *Cato* supposes in *Cæsar*, to appoint *Prætors*, and other Judges for the Redress of the injur'd; and what these Judges did, as acting by a null Authority, were so many Murders and Robberies; Must not the Conspirators be a Pack of Villains, in having recourse to this illegal, this null Authority; and thereby not only doing all themselves cou'd, to aid, assist, and abett it, but endeavouring to make all others pay Obedience to these Judges, and assist to put their Sentences in Execution? But it was something worse in *Brutus* and *Cassius*; who, at the very time, they assassinated the Supream Magistrate, acted under him as *Prætors*.

If Allegiance consists in Mens being ready on all Occasions to support the Government, to put its Laws in Execution, and in supplying it with all that is necessary, to defend them against Foreign and Domestick Enemies; and as This can never be paid to Men reduc'd to a private Condition, so it cannot be due to them; and consequently, if Men will not live without Protection, liable to all the Miseries of a State of Nature; they must pay this Allegiance to the Persons

ment, and the certain Puniſhment they will meet with hereafter, will not deter them; the Fear of Rebellion and Aſſaſſination, when they have ſucceeded, can have no other Effect, than to cauſe them to diſable thoſe they have got in their Power; tho' by the moſt cruel Means imaginable, from doing them any Hurt: And wou'd they not act like Mad-men, who ſhou'd ſo far reſent the Injury done them in diſſolving their old Government, as to do themſelves the greateſt Injury, by either remaining without Government, or after they had own'd it, to run into the Miſchief of a Civil War, to throw off that Power which protects them?

No Man, whatever Objections he may have to the Rightfulneſs of any Government; but thinks he himſelf has a Right to be protected by it: Which, certainly, infers a Right in the Government to all that Obedience, which is neceſſary to that End. Does not having Recourſe to a Government for Protection, ſuppoſe it a Right, nay, a Duty in that Government to uſe all that Power, which is neceſſary to defend Men from all Injuries, Foreign and Domeſtick? And can any Thing be more ſenſleſs, as well as wicked, for *Brutus*, or *Cato*, or any other Perſon whatever, to endeavour to deſtroy the Magiſtrate, for

Uſing

Uſing this Power at his Requeſt, and for his Advantage?

If it was Criminal, nay, High-Treaſon, as *Cato* ſuppoſes in *Cæſar*, to appoint *Prætors*, and other Judges for the Redreſs of the injur'd; and what theſe Judges did, as acting by a null Authority, were ſo many Murders and Robberies; Muſt not the Conſpirators be a Pack of Villains, in having recourſe to this illegal, this null Authority; and thereby not only doing all themſelves cou'd, to aid, aſſiſt, and abett it, but endeavouring to make all others pay Obedience to theſe Judges, and aſſiſt to put their Sentences in Execution? But it was ſomething worſe in *Brutus* and *Caſſius*; who, at the very time, they aſſaſſinated the Supream Magiſtrate, acted under him as *Prætors*.

If Allegiance conſiſts in Mens being ready on all Occaſions to ſupport the Government, to put its Laws in Execution, and in ſupplying it with all that is neceſſary, to defend them againſt Foreign and Domeſtick Enemies; and as This can never be paid to Men reduc'd to a private Condition, ſo it cannot be due to them; and conſequently, if Men will not live without Protection, liable to all the Miſeries of a State of Nature; they muſt pay this Allegiance to the Perſons

actually poſſeſs'd of the Power of protecting them: And can it be lawful, for Men to make uſe of the Protection this way obtain'd, as a Means to enable them to aſſaſſinate their very Protector?

In ſhort, nothing can ſecure the Peace of human Societies, but this Maxim, that *Allegiance is only due on the Account of Protection*; *and that as long as it can be had, People are oblig'd to pay their Protector all Obedience neceſſary to that End*; *and for the ſake of it, do their Beſt to defend him againſt all his Enemies, on what Pretence ſoever they attack him.* As this avoids all thoſe infinite Abſurdities of *Cato*'s Notions, ſo it cuts off all Pretences whatever, of taking up Arms againſt their preſent Governors; except they, inſtead of Protectors, become Enemies and Deſtroyers; which is actually Renouncing the Government.

All thoſe Miſchiefs ariſe from this Abſurdity, that the People may have a Right to be protected by a Government, and yet that Government has no Right to protect them; but that they may turn the Benefit of his Protection, even to the Aſſaſſinating their Protector, for the ſake of a Government not in being; and upon the account of Perſons with whom they muſt be in a State of Nature; if they are

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not politically united with them under the ſame Head.

To ſuppoſe Power and Right in this Caſe can be ſeparated, is to imagine, Men may be oblig'd to remain for ever in a State of Nature; becauſe he that has the Right to govern, wants the Power; and he that has the Power, is without the Right.

This is a vile, ſlaviſh Notion, it ſuppoſes Government ordain'd for the ſake of one Man; and that People are ſo hamper'd on his account, that they cannot, when he is no longer able to protect them, act for their own Preſervation, in paying their Allegiance where their Safety obliges them: And yet 'tis on this Impoſſibility, of *Brutus*'s being able to withdraw his Allegiance from a Common-Wealth not in Being, that *Cato* endeavours to juſtify his aſſaſſinating Principle.

The not allowing Subjection and Protection to be reciprocal, and to infer each other, formerly caus'd innumerable Miſchiefs in this Kingdom. It was the Reaſonableneſs, the Juſtice, the Neceſſity of the thing, which oblig'd our Anceſtors to declare by Law, that Allegiance is due to Poſſeſſion; or, *to the King for the Time being*: And if this Law, which is built on the Law of Nature, and the Eternal Rea-

ſon of Things, were now obſerv'd, there cou'd not be a Man againſt the preſent Government. It was on this foot, our Saviour himſelf requir'd Obedience, either to the immediate or mediate Succeſſor of *Julius Cæſar*; and 'tis on the ſame account, that St. *Paul* requir'd Obedience to another of *Cæſar*'s Succeſſors; who, when he acted the Reverſe to that Character, for which that Apoſtle requir'd Obedience, might, no doubt, for the ſame Reaſon, be juſtly oppos'd; *viz.* the Good of Mankind: Which is the grand Law both of Natural, and Reveal'd Religion.

Becauſe the Happineſs of human Societies depends upon having right Notions in this Matter; I ſhall add, that Protection is own'd by all Mankind to give a Right to Obedience; for which Reaſon, all Governments treat not only the Natives, but all others, who come into the Country, in a peaceable Manner, as their Subjects; and as ſuch, afford them their Protection: And ſince no Man can have Protection for his Perſon, or a Right to be in a Country, but upon the Condition of being ſubject to its Government; therefore, by the Law of all Nations, any Man, tho' by Accident driven into any Country, is from that Moment become its Subject during his

his Stay; and none who go into Foreign Places were ever ſo abſurd, as to refuſe to pay all Legal Obedience to the Powers in being; becauſe their Predeceſſors, or they themſelves, might have wreſted unjuſtly the Power of protecting the People out of other Hands: And for the ſame Reaſon, Obedience muſt be due to thoſe, who protect People in their Native Country, except being born in a Country, will alter the Reaſon and Nature of Things.

If Government is an artificial thing, the natural State of Mankind is a State of Equality; and what is natural, muſt be the common State of all, at all times; 'tis Conſent alone which can alter this State.

To ſay that Equality, or Freedom from all Civil Subjection, is the natural State of Mankind; and yet that any Man has a natural Right to command them in any Country, is a Contradiction; and, therefore, I can't ſee how Men can become ſubject to the Civil Powers where they are born; but after the ſame Manner, and by the ſame Means, as they become ſo in other Countries: And, if deſiring, and receiving Protection from a Government be not owning it, the Bulk of Mankind never own'd any Government: But this Conſent being for the moſt part ſingly and ſeparately given, makes unthinking

ing People ſuppoſe, Men in the Country where they are born, are as naturally Subjects as they are Men.

In a Word, the Supream Powers in every Nation owe their Authority to the Conſent of the preſent Generation; and the Laws, which are the Will of the Legiſlators, do not give, but receive their Authority from them, and not from any former Legiſlature, tho' they were then firſt enacted; becauſe their Authority cou'd not ſurvive their Perſons, or ever oblige People not in being: And conſequently, there can be no Laws againſt the preſent Legiſlators; becauſe all Laws owe their obliging Virtue to them, whoſe preſum'd Will it is, that thoſe made in former Times ſhall oblige, till they declare the contrary: Were it otherwiſe, no Laws cou'd be abrogated or chang'd, but by the Powers which firſt made them; but as the Legiſlative Power is always the ſame, ſo it muſt, at all Times, be alike owing to the Conſent of the preſent Generation.

I cou'd not imagine, I ſhou'd have been forc'd to uſe thoſe Arguments againſt our *Cato*, ſince he every where ſuppoſes, that Freedom is the Natural State of Mankind. To go no further back than his Letter of *December* 30. he ſays, 'Government being a 'Departure from the State of Nature, and

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'a Union of many Families, forming themſelves into a Politick Machine for mutual 'Protection; it is evident, this mutual 'Relation can continue no longer than this 'Machine ſubſiſts, and can act; and where 'it does not, the Individuals muſt return 'to their former State again. No Con'ſtitution can provide againſt what will 'happen, when that Conſtitution is diſ'ſolv'd. And he ſuppoſes, this wou'd have been the Caſe, if there had happen'd an irreconcilable Difference between the *Senate* and People of *Rome*. 'In this Caſe, '*ſays he*, the Common Judge ceaſing, eve'ry One was his own; the Government be'coming incapable of Acting, ſuffer'd a 'Political Demiſe. For a Man of theſe Principles, to talk of *Brutus* owing Allegiance to a Government diſſolv'd by the Civil War, is as abſurd, as any Thing he there charges the Chriſtian *Monks* with Introducing.

Cato ſays, 'Subjects may transfer their 'Obedience to a New Magiſtrate, made 'by Conſent, when the Old has forfeited. But will a whole Nation be ever agreed about this Matter, eſpecially, when the Danger is over? Will there not be eternal Diſputes, whether the former Magiſtrate had forfeited? Or, if he had, whether for his Heirs as well as himſelf? And

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in the next Place, Whether there can be a free Conſent, where that ſuperior Force, which drove out the former Magiſtrate, is ſtill in being? which, by *Cato*'s Reaſonings, it cou'd not; Or if it cou'd, whether every Thing requiſite for a whole People to give free Conſent has been obſerv'd? Yet without People were agreed in this Matter, according to *Cato*'s Principles, it was lawful for any of them, if they were not ſatisfy'd of the Juſtice of the *Revolution*, to take Oaths to the Government; nay, to take the beſt Poſts under it; (for all this the Conſpirators did to *Caſar*) and after that, to enter into a Conſpiracy for Carrying on a *Rebellion*, or a Plot for an *Aſſaſſination*. But no Government, how juſt ſoever the *Revolution* may be, can be ſecure, but upon this Principle, *That they, who thought the former Government had not forfeited, were oblig'd to defend it as far as the Law requir'd; but if they did not ſucceed, that for the ſame Reaſon, and upon the ſame Account, they were equally oblig'd to defend the Preſent Government; And as for thoſe who were not born, or were in a State of Nature, when the Former Government was diſſolv'd; they cou'd no more be concern'd in Conſcience about it, than about any* Anti-diluvian *Government.*

This,

This, I hope, I may now presume to say, is the only consistent Account of the Foundation of Government; and of the Grounds it stands on: And withal, so plain and easy, that the most ignorant can't mistake; except they be at a Loss, to find who makes, and who executes the Laws; while all other *Hypotheses* are full of Inconsistencies, and plunge People in endless Doubts and Perplexities: But there's none so absurd, and pernicious, as that which justifies *Rebellion* and *Assassination*, after Men have done all, which *Brutus*, and the rest of the *Parricides* did, to own the Authority and Power of *Cæsar*. Well might *Antony*, in his Funeral Oration, say, 'See how 'well we keep our Oaths! how grateful 'we approve ourselves! a perjur'd Crew 'have dar'd to assassinate the Greatest of 'Men; even, that very Man, who generously gave them their Lives in the Plains 'of *Pharsalia*; and afterwards rais'd them 'to the highest Dignities in the Common 'Wealth.

What this Writer wants in Reasons, he thinks, he supplies in Precedents: But of what Use are Precedents, if they did come up, as his do not, to the present Case; if they are not supported by Reason? But because he says, 'There's an Instance in the '*Roman* History, that will set this Matter

'yet in a fuller Light; it is the Story of 'Spartacus, a Thracian Slave, and Gladia-'tor, who bid fair for being Lord of the 'Roman World. And then, after giving an Account, how in several Battles he defeated the *Romans*, says, 'Now, I will 'ask the Advocates of lawless Power, the 'Friends to the Life and Name of *Cæsar*, 'Whether *Spartacus*, if he had succeeded, 'wou'd have been lawful. and irresistible 'King of *Rome*? And whether the *Senate*, 'with the greatest Part of the known 'World, wou'd have ow'd him Allegi-'ance? or wou'd he not continu'd still a 'Thief, and a Robber?

It was a constant Practice among the *Romans*, to make those Captives they took in War, whom they did not reserve for their Drudgery, either to mangle, and cut one another to Pieces; or else to expose themselves to be torn by wild Beasts in their Amphi-Theatres. This inhuman, and horrid Spectacle was their grand Diversion. *Spartacus*, with seventy of his Companions, having broke Prison, exhorted them rather to sacrifice their Lives in Defence of their Liberties, than submit tamely to dye, for the cruel Diversion of their wicked Masters: Which, certainly, he had a Right to do; except Whips, and Chains, and a Design to put those to Death, whom

whom the Chance of War had put into their Hands, is Government; or makes Allegiance due: And if a few naked Slaves, deſtitute of all, cou'd raiſe ſuch Numbers of raw Men, as cou'd defeat two *Prætors*, and two *Conſuls*, with all their diſciplin'd Troops; it ſhews how deſperate, cruel Uſage had made People; ſince they, if they did not ſucceed, cou'd expect nothing leſs than Crucifixion.

Had the Succeſs of *Spartacus* continu'd, had he taken the *Romans* under his Protection, and they had done as much to acknowledge his Government, as they did *Cæſar*'s, they wou'd have ow'd him Allegiance; even tho' he had been as great a Robber as the Founder of *Rome*.

I can ſee nothing to hinder *Spartacus* from Founding a juſt Government; but what wou'd hold more ſtrongly againſt the firſt *Romans*, a Pack of Thieves and Rogues, who, having with them neither Women, or Children, withdrew from the Neighbouring States, with no other View, but to plunder thoſe, to whom they ow'd Allegiance. And as it was by their uſual Trade, that they got Women, ſo as their Strength encreas'd by their Robberies, their Robberies encreas'd likewiſe; till they oppreſs'd the beſt Parts of the known World: Whom, if *Spartacus*, by ſubduing the *Ro-*

mans, had ſet free, he wou'd juſtly have been eſteem'd a great Deliverer, and Benefactor to Mankind.

I deſire to know of *Cato*, what *Spartacus* was to do, if he had conquer'd the *Romans*, and found them to be of thoſe Principles which he defends in the Conſpirators? Wou'd not the Law of *Self-Preſervation*, oblige him to take all proper Methods, tho' ever ſo ſevere, as wou'd prevent his being aſſaſſinated? or his People maſſacred?

The ſame Anſwer will ſerve to all he ſays about *Maſſenello*, and others, who cou'd not be worſe Scoundrels than *Romulus*; whom the Chief of his Gang murder'd, as he had his own Brother; and then perſwaded the reſt, that he was tranſlated to Heaven. And tho' it might have been lawful, for any *Roman* to have ſlain *Brennus*, an open Enemy, will it, therefore, prove it lawful to aſſaſſinate a Prince, acknowledg'd as *Cæſar* was? What he ſays of the *Gauls* Violating the Laws of Nations, is contrary to all Hiſtory, which imputes that Crime to the *Romans*; and, conſequently, *Brennus*, after having been refus'd Satisfaction, had a juſt Cauſe of War.

Tho' *Cato* ſays, 'That Dr. *Prideaux* has 'not told us, what it was, that in his Opi-'nion, render'd the Perſon of *Cæſar* ſo very '*inviolable*;' yet as tho' he was arguing againſt

againſt him, he ſays, 'That God (a great 'Diſcovery indeed!) made Adders as well 'as *Cæſar*; and that 'tis lawful to diſcharge 'a great Gun to diſperſe a Storm; and re-ſiſt a Plague by *Diets* and *Antidotes*; and 'that (wherein, no doubt, he thinks, he has maul'd both *Cæſar*, and the Doctor) *he ſays*, 'the Devil has much greater Abi-'lities than *Cæſar* had; and is, alſo, a very 'great Prince, and an Executioner of God's 'Judgments; and yet, are we not to re-ſiſt him?

That the Devil has Power, certain Weekly Papers are, perhaps, no ſmall Proof of it; but that he is a very great Prince, I leave him to diſpute it with a late Author; who, in his Lectures about the Origin of Evil, will by no Means allow it; and, indeed, the Reaſon for Reſiſting him will not prove it: *Reſiſt the Devil, and he will flee from you.* But they, who had the Misfortune to reſiſt the other Prince, were themſelves forc'd to flee.

He ſays, 'The moſt Celebrated He-'roes of Antiquity deſtroy'd, and ex-'pell'd Tyrants and Uſurpers, the Peſts, 'the Burdens, and Butchers of Mankind:" This may very well be, and yet not ap-prove of what the Conſpirators did; who after having ſo long own'd a Govern-

ment,

ment, the mildeſt and gentleſt that ever was known, and had accepted of the chief Poſts in it, ſhou'd yet aſſaſſinate their Benefactor, for Executing that very Power, he exercis'd by their Conſent, ſo ſolemnly given.

Beſides, it wou'd be no Wonder, if Men bred up in Republican Notions, with ſuch an Hatred to Monarchy, as to make no Diſtinction between King and Tyrants, ſhou'd carry this Point too far; eſpecially, conſidering a Senate, or Democracy, cou'd not be aſſaſſinated like a ſingle Perſon: But under Monarchical Governments, ſuch a Principle ought ſure to be abhorr'd, as wou'd endanger the Lives of all the Kings in the World; ſince one may venture to affirm, there is no Kingdom, but where there are ſome odd turn'd Heads; who, if this Principle was allow'd, wou'd think it Heroick to diſpatch their Sovereign; becauſe they thought, he either wanted a juſt Title to his Crown, or had done ſomething after he came to it, to forfeit it.

There's more Reaſon now than formerly, to condemn this deteſtable Principle; there being Numbers brought up in a Belief, that there's an Intereſt ſuperior to That of the State; to which, all Things ought to give Place; and that he is the greateſt

greateſt Uſurper and Tyrant who uſurps on what they call the Rights of God's Holy Church; to which, they ſay, all Kings ought to be ſubject.

Whoever aſſerts, that they, who are in the Right, may perſecute thoſe in the Wrong, encourages an univerſal Perſecution; becauſe all Parties take themſelves to be in the Right: And does not he, who recommends the Aſſaſſinating *Cæſar*, as an Heroic Action, encourage all thoſe; who think they have as juſt a Cauſe to murder their King? And are there not, and will there not always be Bigots; who will conclude, that their King, if he is not of their Perſuaſion, is a Traitor to God? and an Enemy to the Only True Religion? and acts contrary to that holy End, for which Kings were chiefly inſtituted? And that 'tis a greater Merit to aſſaſſinate ſuch a Prince, than any, who only uſurps upon the Civil Rights of the People? We find in a Neighbouring Country, that two Succeſſive Princes were aſſaſſinated on this Account; tho' no Attempt, as far as I can find, was made on any Pretence of Uſurping on the Civil Liberties of the People.

This Principle will juſtify the Aſſaſſinating, not only of Miniſters, as *Felton* did *Buckingham*, but all Men whatever; if

if it be thought, that they can't be reach'd by Law ; or that the Law will not do Juſtice : So that I can't ſee, who almoſt can be ſafe, if this deteſtable Doctrine is allow'd of.

Who can anſwer for the Whimſical Enthuſiaſm of a ſingle Perſon, or of a few deſperate Mad-men ; who may think it their Duty, this Way to diſpatch the beſt of Princes, as was attempted not only by Ruffians, in King *William*'s Reign ; but one lately dy'd a Martyr to this Principle, who wanted only an Opportunity to give the Fatal Stab : I am, therefore, extreamly ſorry, and heartily griev'd, to ſee this deteſtable Principle maintain'd with ſo much Zeal and Induſtry in Weekly Papers, diſpers'd over the whole Kingdom.

The *Engliſh* are famous for Abhorring this Principle of *Aſſaſſinating* ; and therefore, ſcorn to take any Advantage of an Enemy that has done them the greateſt Injury ; but have Recourſe to the Field, fairly to decide the Quarrel : And they, who ſo much abhor Aſſaſſinating a private Man, much more abhor Aſſaſſinating a Magiſtrate. I believe, there's no Inſtance of any ſuch Attempt, till the *Gun-Powder Plot*, to murder the King, Lords and Commons ; and therefore, I beg Leave

to

to say, for the Honour of our Nation, that, I hope, the Person, who calls himself *Cato*, is no *English-man*; but one of another Country, bred up in the Schools, and Notions of the *Jesuits*, so infamous for their *Assassinating* Doctrine.

But does not *Cowley* highly commend *Brutus*, and celebrate this Action in a fine *Ode*? This *Ode* as fine as it is, had like to have broke his Heart; it being reported, 'When, after the King's Return, Mr. 'Cowley solicited the Lord Chancellor *Hyde*, 'for some Preferment, or Reward, in re-'gard to his Sufferings and Services in the 'Royal Cause; that Minister turn'd on 'him, and, with *a severe Countenance*, said, 'Mr. *Cowley*, *Your Pardon is your Reward.* 'Letting him know, the King's Forgiving 'him that *Ode*, was more than he merited; 'that he cou'd not be ignorant, there were 'Enthusiastica *Republicans*; who, notwith-'standing the Turn of Affairs, still retain'd 'as good an Opinion of their Cause, as 'ever *Brutus* cou'd have of his: And cou'd 'he expect, that his Royal Master shou'd 'promote one, who, as far as his Poetick 'Vein cou'd carry him, had encourag'd 'these desperate Men, to make an Attempt 'on his Sacred Person.' This was the true Cause of his Retirement, and that there appears such an Air of Melancholy and

Deſpondency, in ſeveral Parts of his Works.

Now I think, I may ſay, that I have fully anſwer'd this Queſtion, Why *Cæſar* might at firſt be dealt with as an Enemy, and not afterwards; when he was own'd after ſo ſolemn a Manner? And this is the Opinion of *Grotius* *; and, I think, of all other *Caſuiſts*; who will not allow, *That the Right of War continues: or, that 'tis lawful to proceed againſt an Uſurper, as againſt an Enemy, after an Agreement has been made; or Faith has been given him.*

When *Caſuiſts* ſay, *That Force does not diſſolve ſuch Contracts, as are made between People in a State of Nature*; They mean ſuch Contracts as they are capable of making: Wherein they give no more Power to any Perſon, than they themſelves had in that State, over the Lives, Liberties, and Properties of others. And this ſecures the Happineſs of Mankind, without deſtroying, on Pretence of a Superior Power, all ſuch Contracts as are made between different Nations, or between different Parties of the ſame Nation, as King and People, upon any Diſpute of their Rights.

Here it may be ſaid, allowing this to be true; yet may not a private Man privately

* *De Jure Bell.* l. 1. c. 4.

vately diſpatch a Tyrant, who aſſumes to himſelf ſuch Powers, as People were not able to give him? What Reaſon can there be, why he may not act thus, in ſuch a Caſe, where it is confeſs'd, the People may take up Arms in Defence of their Liberties?

Cato (*December* 30.) ſays, that 'Tis 'wild to imagine, that any Number for-'midable enough to diſturb a ſettl'd State 'can unite together, with any Hope to 'over-turn it, till the Publick Grievan-'ces are enormous, the Oppreſſion great, 'and the Diſſatisfaction univerſal." But will he aſſure us, that no private Man will not think it lawful to attempt the Life of his Prince, 'till this is the Caſe. All Attempts of this Nature, if they miſcarry, as generally they do, promote the Ends they were deſign'd to prevent; and tho' the Prince ſhou'd be deſtroy'd, yet ſtill there's a Force in Being, which on pretence of Revenging his Death, will act whatever it liſts; and Numbers, who otherwiſe wou'd be quiet out of Pity to the murder'd Sovereign, and an Abhorrence of the Aſſaſſins, wou'd be ready to join them. And a Doctrine, tho' it carry'd ſome Conveniencies with it, as I think, That of *Aſſaſſination*, carries none; yet if its Inconveniences are more and greater, ought to be condemn'd; and *Ca-*

to, without allowing it, will never be able to condemn the Doctrine of *Non-Reſiſtance*.

But not to multiply Diſputes, allowing it lawful in this Caſe, this will equally extend to any Prince whatever; even tho' he ſhou'd be allow'd to derive his Title from *Adam*'s Heir. In this Caſe, *Cæſar*, and he, ſtand on an equal Foot; and if the Pretence of *Cæſar*'s ſuperior Power cou'd not, as I think, I have fully prov'd, vacuate the Engagements the People of *Rome* enter'd into with him; the only Queſtion that can remain to be diſputed, is, Whether he acted after ſo Tyrannical a Manner, as gave the People in general, a Right to take up Arms? Or any private Perſon, allowing he may lawfully kill, where the People may lawfully take up Arms, any juſt Cauſe to deſtroy *Cæſar*?

Our *Cato*, of all Perſons, has, I think, no Right to aſſert this, much leſs to extol *Brutus*, for this Aſſaſſination; ſince he, (*Feb.* 22.) ſays, 'That the People of 'Rome threw themſelves under different 'Leaders, who all aſpir'd to make themſelves Maſters of the Common Wealth. 'During the Struggle, *Rome* and *Italy* was 'but one Slaughter-houſe; Hundreds of 'Thouſands fell Sacrifices, Rivers of Blood 'ran in the publick Streets, Proſcriptions, and

and Maſſacres were accounted Sport and Paſtime, 'till at Length two Thirds of the People were deſtroy'd. If *Cæſar* put a Stop to this abominable Practice, and govern'd with great Moderation; Can *Brutus*, who, by that fatal Stab Things ſet again in the utmoſt Confuſion, deſerve a Panegyrick?

And in his Letter of *December* 2. wholly deſign'd for an *Encomium* on *Brutus*, he ſays, 'That *Cæſar* found in the People of '*Rome*, an univerſal Deteſtation of the 'bloody Meaſures of *Marius*, *Cinna*, and '*Sylla*; he ſaw the whole Empire ſo re-'duc'd, and enervated by repeated Pro-'ſcriptions and Maſſacres, that he thought 'it his Intereſt to eſtabliſh his new erected 'Dominion by different Meaſures; and to 'reconcile, by a falſe, and hypocritical 'Shew of Clemency, the Minds of Men, 'yet bleeding with their late, and for-'mer Wounds to his Uſurpation.' As the Calling the Meaſures of *Cæſar*, *a falſe, and hypocritical Shew of Clemency*, can, at the beſt, paſs for a falſe, and hypocritical Shew of Honeſty; ſo it ſhews the Villany of *Brutus*, in ſetting all thoſe Wounds bleeding afreſh; and which, morally ſpeaking, 'tis impoſſible but *Brutus* muſt foreſee.

To ſet this horrid Fact in a true Light, 'tis neceſſary to take a ſhort View of the *Roman* State. *Livy* confeſſes, That the firſt Inha-

Inhabitants of *Rome* wanted a Monarch; their New City wou'd have ſunk, if it had been expos'd in its Infancy, to the continual Conteſts of the *Patricians*, and the *Plebeians*; the former, as ſoon as they had gotten the Power into their Hands, on various Pretences, * ſtripp'd the *Plebeians* of the few Acres they had; and having lent moſt of them Money upon an exceſſive Uſury, which then was arbitrary; and having Power by the Laws (which ſhews the Barbarity of *thoſe Times*) to ſeize the Perſons of their Debtors, and treat them as Slaves; they often exacted both *Principal* and *Intereſt* with Stripes and Torments. This, as it may well be imagin'd, begot in the People an irreconcileable Hatred towards the *Senate*, which was very much augmented by the Murder of the two *Gracchi*, who both dy'd Martyrs for the People's Rights; and with the latter, no leſs than 3000 Citizens were ſlain; beſides many, who were afterward deſtroy'd in Priſon.

The Condition the People were in, when they forc'd the *Senate* to allow them the Choice of *Tribunes*, was told the *Senate* in very plain Terms by *Valerius*; whom the *Senate* not long before had made

* *Vertot.*

made *Dictator*, that they muſt confeſs, that moſt of the *Plebeians* were diſpoil'd of their Inheritances; that the poor Wretches were thrown into Jails, like ſo many Criminals; and that they complain'd, perhaps, with ſome Juſtice, that the *Nobles* and *Patricians*, contrary to the Original Contract of the State, ſtudy'd nothing but how to make themſelves Maſters of the Government.

When the People had got themſelves *Tribunes*, they ſufficiently reveng'd themſelves. 'Thoſe *Plebeian* Magiſtrates, as *Vertot* obſerves, hunted down the brighteſt 'of the *Senators*, eſpecially, their *Conſul*; 'inſomuch that a *Conſular* was to look 'on himſelf as a Sacrifice of the People, 'and an Object of the *Tribunes* Fury. — If 'the *Conſuls* were formidable to the Peo'ple, the *Tribunes* were no leſs odious to 'the *Patricians*; neither of thoſe two Bo'dies thought they cou'd be free, 'till they 'had puſh'd down the other. — There 'was ſcarce ever Peace at Home, but 'when there was War Abroad." Nothing prevented their deſtroying one another, but the unſeaſonable Wars their injur'd Neighbours made, and their having Recourſe, which their inteſtine Diviſions often made neceſſary, to a *Dictator*; who had an abſolute Power over both Parties;

ties; and to whose Election, the People, overjoy'd to have a Magistrate above the *Consul*, and *Senate*, readily agreed.

The Quarrels between the Old and New Citizens, after the *Bellum Sociale*, caus'd terrible Confusions; and sometimes, they fought it out in the Streets of *Rome*; and the latter were ready to join with *Cinna*, or any, who had ill Designs on the Common Wealth; but tho' those new Citizens were Enemies, both to the *Senate*, and the People *in Rome*, yet that did not, in the least, abate the Hereditary Hatred that was between them; and when *Marius* and *Sylla*, each at the Head of their Party, had, *by Turns*, made themselves Masters, they sacrific'd incredible Numbers to their own Revenge; and that of their Party.

After the Common Wealth had thus maintain'd great Armies in different Places, either to preserve, or encrease their Conquests; nothing remain'd but the Name of a Republick: The Commanders of these Armies did what they pleas'd; they plunder'd, and oppress'd the Provinces; and by their Exactions, got enough to bribe a mercenary *Senate* and People: The *Consuls* and *Tribunes*, forgetting their own Dignity, became their Creatures: And they not only banish'd,

and

and murder'd contrary to Law; but chang'd the Laws, as it ſerv'd their Intereſt: And when they were abroad with their *Legions*, the City was in Danger of falling a Prey to Men of leſs Note; and tho' the Deſigns of *Emilius Lepidus*, who actually beſieg'd *Rome*, as well as thoſe of *Cataline*, were detected; yet there were ſuch a Number of profligate People, ready for any vile Enterprize, that the beſt Citizens were in Danger of being murder'd in their Beds, and the City burn'd about their Ears.

Now, what Condition this *Phantom* of the Old Common Wealth was in, juſt before the War broke out between *Cæſar* and *Pompey*, we may learn from *Vertot*.

Rome was, ſays he, 'in a prodigious 'Diſorder; Bribery was no longer con-'ceal'd, the Candidates brought their 'Money openly to the Place of Electi-'on; it was, without Shame, diſtributed 'to the Heads of Factions; and thoſe who 'receiv'd it, employ'd Force and Vio-'lence, rather than Numbers of Votes, 'to cauſe them to be elected; who had 'thus paid them: So that ſcarce any Of-'fice was beſtow'd, but what had been 'diſputed Sword in Hand, and coſt the 'Lives of many Citizens; both Parties 'proving of equal Force, ſeparated often

'without coming to any Choice: And 'this Diſorder encreas'd ſo much, that '*Rome* was eight Months without Magi-'ſtrates: By which Means, ſays *Plu-'tarch*, the City was brought to Confu-'ſion, like a Ship without a Pilot; ſo 'that the wiſer Sort wiſh'd, Things car-'ry'd on with ſo much Tumult and Fu-'ry, might end no worſe than in a Mo-'narchy. —— *Cato* perceiving, that *Pom-'pey*, in this Confuſion, made his utmoſt 'Efforts, tho' he ſeem'd to decline it to 'be declar'd *Dictator*, prevail'd with the '*Senate* to make him ſole *Conſul*, that he 'might not aim at the *Dictatorſhip*; be-'ing taken off with the Offer of a more 'Legal ſort of Monarchy, they over, 'and above, voted him the Continuance 'of his Provinces, *Spain* and all *Africa*; 'which he govern'd by his Deputies, and 'maintain'd Armies under him out of the 'Publick Treaſure. *Pompey* was ſuſpected 'to keep up that Confuſion, in Order to 'have the whole Authority in himſelf.

Formerly the People and *Senate*, tho' they aim'd at taking away each others Li-berties, yet they were for preſerving their own; but now their only Quarrel ſeem'd to be, to whom they ſhou'd be ſubject; whether to *Cæſar*, or to *Pompey*? The Power of the People being broken by

Sylla,

Sylla, and their *Tribunes* reduc'd to a low Condition, the *Senate* hop'd to have kept the Power in their own Hands; but by the Addreſs and Management of *Cæſar*, the People being got uppermoſt again, and the Authority of the *Tribunes* ſecur'd, the *Senate* were rather for throwing all Things into the Hands of *Pompey*, than to be ſatisfy'd with a ſhew of Liberty; when all the Laws they made, all the Decrees they paſs'd, were liable to be revers'd by the Populace; and their *Plebiſcita* to bind the *Senate*: This they cou'd not brook; and, therefore, they were for Depriving *Cæſar* of his Government and Legions, and continuing both to *Pompey*; by which, there being no Force to withſtand him, he wou'd be effectually Maſter of every Thing. This was the true Reaſon, that the *Senate* rejected all the Propoſals of *Cæſar* for an Accommodation.

Cæſar frequently preſs'd, That both *Pompey*, and he, ſhou'd quit their Armies and Governments together, which was carry'd in the *Senate* by 170 againſt 22; but the *Conſuls*, inſtead of Cauſing this Decree to be executed, preſented *Pompey* with a Sword; and *Cæſar*, at laſt, for Peace-ſake, fell ſo low, as to deſire that the Government of *Illyrium*, and the Command of Two Legions only, might be continu'd to him.

Cicero was the only Perſon, who ſeem'd to have been in Earneſt for an Accommodation; and he prevail'd on *Cæſar*'s Friends to be content with a ſingle Legion. *Cæſar*'s Juſtice was ſo exact, that he ſent back Two Legions he borrow'd of *Pompey*, tho' he was ſure they were to be employ'd againſt himſelf; and when he cou'd obtain nothing of the inflexible *Senate*, he apply'd to the People, requeſting, that *Pompey*, and he, both quitting their Governments, and diſmiſſing their Armies, ſhou'd ſubmit to the Judgment of the People. This only ſerv'd to provoke the *Senate*; and the *Conſuls*, when the *Tribunes*, by Virtue of their Office, oppos'd the Decree of the *Senate*, drove them forcibly out of the Houſe; and *Pompey*, tho' he had been Inſtrumental in getting them reſtor'd to their former Dignity, ſent ſecretly for Soldiers to inſult them; and thoſe *Tribunes*, whoſe Office render'd them Sacred and Inviolable, were forc'd to diſguiſe themſelves in the Habits of Slaves, and fly to *Cæſar* for Protection.

Our *Cato* ſays, (*Dec.* 30.) 'That if the 'Senate, and People of *Rome* had differ'd 'irreconcilably, the Government had been 'diſſolv'd, and the People in a State of 'of Nature.' But did not Things very much

much look this Way? Were not the Heads of the People, the *Tribunes*, forc'd to fly to *Cæsar* for Protection? Here *Cæsar* was distress'd, indeed, he saw with Grief the Consequences of a Civil War; but withal he saw, if he disbanded, *Pompey* was Master of all: He saw that this Disciple of cruel *Sylla*, whose Pride cou'd, at no time, bear an Equal, wou'd not fail to sacrifice him, and his Friends to his Resentments. But what affected him most, was the Treatment the People were like to meet with upon his Account. These Considerations made him at last resolve, and what he resolv'd, he soon executed. And the *Senate*, instead of doing them Justice, left *Rome*, and rais'd Armies to fight against the People, and their Protector?

If there was an Appeal from the *Senate* to the People in all Cases whatever; and they had the Power of Life and Death over the *Senators*; and the *Tribunes*, by Virtue of their Office, cou'd stop any Proceeding in the *Senate*; and the *Senatus consulta* were to give Place to the *Plebiscita*; which, at last, were made without any previous Consent of the *Senate*, and frequently in Opposition to them; I can't see how any One cou'd be a Rebel, who had the People on his Side; at least, how this

this Writer can think ſo, who puts the People at *Rome* on the ſame Foot with the People in *Athens*; where the Government was wholly popular. 'At *Rome* 'and *Athens*, ſays he, (*Jan.* 10.) the 'People, the Body of the People were 'ſpoken of with the utmoſt Regard and 'Reverence; the Sacred Privileges of the 'People, the inviolable Majeſty of the 'People, the awful Authority of the 'People, the unappealable Judgment of 'People, are common Phraſes in thoſe 'wiſe, great and free Cities." But what Regard had the *Senate*, after they had violated the Sacred Privileges of the People of *Rome*, to their *awful Authority*, *inviolable Majeſty*, and *unappealable Judgment*, when they were in Arms againſt *Cæſar*; with whom, as their Protector, they join'd?

Upon the News of *Cæſar*'s March, *Pompey*, notwithſtanding his great Character, was blam'd by his own Party, for permitting *Cæſar* to be inſolently us'd; when he made ſo large Conceſſions *, and offer'd ſuch reaſonable Propoſals: But *Cæſar*, as he came into the War with the utmoſt Reluctancy, ſo he manag'd it with a ſurprizing Clemency, and treated his Priſoners with the utmoſt Humanity, giving them their Liberty; tho' the other Side put all

* *Plut. in Vit. Pomp.*

all *Cæſar*'s Men to Death, they cou'd any way get into their Power. *Cæſar*, to ſpare the Lives of the Citizens, was continually entreating, and begging to come to ſome Terms of Accommodation; and at laſt, ſo far prevail'd, as to ſet a Treaty on Foot; but the perfidious *Senators* made no other Uſe of it, than treacherouſly to aſſault his Commiſſioners; and then *Labienus* haughtily ſays, *'Tis in vain to talk of Peace without we have* Cæſar's *Head.* * *Nam nobis, niſi* Cæſaris *Capite relato, pax eſſe nulla poteſt.* And, ſure, after this, except *Cæſar* was oblig'd to preſent his Head to his Enemies, all the Miſchief occaſion'd by the Continuance of the War, muſt be imputed to the other Side. All this unfair, and barbarous Treatment, which *Cæſar* met with, alter'd not his natural Clemency; for tho' in the Battle, the Word of Command to frighten the *Beaus* in *Pompey*'s Army, was to *Make at the Face*; yet, as ſoon as Victory had declar'd for him, the Command was, *Spare the Citizens*; for which he gave ſtrict Orders to his Officers.

The ſame Clemency, which made him ſpare the Citizens, caus'd him to burſt into Tears at ſeeing the *headleſs Trunk* of his

* *Caſ. Com.* l. 3. c. 19.

his moſt inveterate Foe; of that General, who wou'd agree to no Conditions of Peace, without the Head of *Cæſar*. And I muſt add, that the Camp of *Pompey*, when it was forc'd, as *Tacitus* deſcribes it, made a very odd Sight; *Alibi prælia & vulnera, alibi popinæ, ſimul cruor, & ſtrues corporum, juxta ſcorta et ſcortis ſimilia.* Were ſuch effeminate Fops and Rakes fit to govern Mankind?

Our *Cato* having nothing to object to *Cæſar*'s Conduct, in Governing the Common Wealth, after Peace was reſtor'd; yet labours to ſully his Character, by mentioning what he ſuppoſes he did, even while a Lad. '*Cæſar*, ſays he, when 'a Boy, was in the bloody Meaſures of '*Marius*:" But as he was too young to be concern'd in thoſe Meaſures, ſo had it been true, *Sylla* wou'd never have ſpar'd him; who hated him for a Generous Act, in not parting with his Wife, tho' ſhe was the Daughter of *Sylla*'s mortal Enemy: When *Pompey*, and others, not daring to diſobey, had meanly comply'd in parting with Theirs; *Cæſar* had not only the Boldneſs to refuſe him, but he even preſented himſelf, tho' under Age, with a ſurpriſing Confidence, to be declar'd Prieſt of *Jupiter*. *Sylla* began to be apprehenſive of the Courage of this young *Hero*: and ſaid

ſaid to thoſe who ſolicited his Pardon, that *he ſaw in that Youth many* Marius's.

This made him quit *Rome*, and retire to the Court of *Nicomedes*; where, as it was reported, he was guilty of a Crime (not then, or ſince very uncommon with the *Romans*) by that King's becoming inamour'd of his Perſon; and this afterward became a Subject of much Railery, tho' perhaps, there was no one that believ'd it. And *Suetonius* ſays, *It was the only Thing of this kind laid to his Charge*; yet our *Cato* is not only poſitive, that 'he ſubmitted 'his Perſon to infamous and unnatural 'Proſtitution, but that it was for the End 'of Ambition:" Nothing, certainly, cou'd be more inconſiſtent with that End, than ſo vile and mean an Action; and *Nicomedes* was too inconſiderable to aſſiſt him in any ſuch Deſign. Beſides, 'tis Notorious, the fair Sex were *Cæſar*'s Delight, and the *Roman* Ladies frequently conquer'd the Conqueror of the *Roman* World. What ſeem'd to give an Handle to this Story, was, *Cæſar*'s being, as *Vertot* obſerves, 'The beſt ſhap'd Man of 'his Time; and that Nature, which 'ſeem'd to have fram'd him to command 'all the reſt of Mankind, had given him 'an Air of Empire, and a Dignity of Aſ-'pect inexpreſſible; but that Air of Gran-

'deur was allay'd by the Sweetneſs, and 'Gentleneſs of his Manners; his inſinu-'ating, and invincible Eloquence was yet 'more owing to the Charms of his Per-'ſon, than to the Strength of his Argu-'ments."

As to *Cæſar*'s being concern'd in the Conſpiracy of *Cataline*; *Saluſt*, who liv'd at that Time, and who muſt be preſum'd to be Maſter of all the Facts, neceſſary for forming his Hiſtory of the Conſpiracy, has clear'd him; and told us, who were the Villanous Authors of this improbable Story; and upon what Motives they did it. Beſides, the Tale confutes itſelf, ſince *Cataline*, endow'd, as his very Enemies own, with ſo many great Qualities, would never ſuffer *Cæſar*, who then was but on a Level with himſelf, to run away with the Fruits of his Victory. If he wou'd have been guilty of any ſuch Crime; he, no doubt, wou'd have join'd with *Lepidus*, who highly courted him; and who, 'tis likely, might, with the Aſſiſtance of ſuch a Genius, have made himſelf Maſter of *Rome*; which he had inveſted. It is true, He was againſt putting the Conſpirators to Death, and he had brought over the greateſt Part of the *Senate* to his Opinion: But in this, he was a ſtrict Obſerver of the Laws, which did not allow the

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Senate, any ſuch Power over the Lives of the Citizens: Which *Cicero* found to his Coſt; who, for Executing, when *Conſul*, this Decree of the *Senate*, was judicially condemn'd by the People to Baniſhment, his Houſes order'd to be levell'd, and all his Goods to be ſold, tho' he was afterwards pardon'd, and greatly in Favour with the People.

The great Argument, by which *Cæſar* is repreſented as a *barbarous*, *cruel*, and *bloody Perſon*, is, that in his *Foreign Wars* there were more than a Million ſlain, tho' herein *Authors* differ; and *Velleius Paterculus* makes them but 400000. But allowing this Account to be true, it will be ſurprizing, that no more were deſtroy'd; ſince he either took by Force 800 Cities *, or made them yield to the Terror of his *Arms*; and ſubdu'd 300 different Nations. And 'tis to be obſerv'd, that they brought *vaſt Armies* into the Field; that which was rais'd for the Relief of the City of *Alexia*, defended by 170000, was compos'd of 300000 Men; moſt of which periſh'd in the Fight: And to have ſuch great Numbers fall in Battle, was, in thoſe Days, no unuſual Thing. *Cæſar*'s Uncle, *Marius*, in one Fight, ſlew of the *Teutones* 150000;

* Plut

and in Another, in a few Days after, he kill'd of the *Cimbri* 120000, and took 60000 Priſoners. If *Titus* was call'd, for his peculiar Clemency and Moderation, *the Delight of Mankind*, and yet, in the Seige of *Jeruſalem*, he deſtroy'd about as many as *Cæſar* did, in all his *Battles* and *Sieges*; *Cæſar* might very juſtly, ſure, deſerve the ſame Character: And *Plutarch*, tho' he owns, a Million of Men fell in *thoſe Wars*, yet ſuppoſes, he excell'd all the *Roman* Generals in Clemency and Humanity. 'Tis probable, if any but *Cæſar*, who knew not only how to conquer, but to make the beſt Uſe of Victory, had engag'd in ſo many *Foreign Wars*, trebble the Number had been deſtroy'd, before ſo many Countries wou'd have been added to the *Roman* Empire.

The *Gauls*, whom *Cæſar* conquer'd, had not only, *ſeveral Times*, invaded *Italy*, but *Once* burnt *Rome* itſelf; and, therefore, the Conqueſts of theſe *Warlike Nations* were infinitely eſteem'd above thoſe of the Effeminate *Aſiaticks*; from whom *Rome* was never in any Danger: And if *Cæſar* employ'd *Bribes* to be continu'd in his Governmen, 'till he had compleated thoſe *Glorious Conqueſts*, it can't be wonder'd at; ſince there was no other Way of dealing with ſo corrupt a *Senate*.

Allowing

Allowing the Deſtruction of ſo many Men, to be as cruel, and barbarous, as our modern *Cato* pleaſes; Why muſt the whole Blame be charg'd on *Cæſar*, and not on his Maſters; whoſe Will he executed in making thoſe Wars? And who, either commanded, or, at leaſt, approv'd what he did, and ſolemnly thank'd the Gods for all his Victories? for one of which, they order'd fifteen Days to be kept; which was a longer time than ever was obſerv'd before.

To condemn *Cæſar*, and not the *Republick*, whoſe General he was, is as abſurd, as to charge the Generals, and not the *French* King, with the Death of all thoſe, who were ſlain in the late Wars with *France*. *Conde*, *Turenne*, *Luxemburgh*, &c. might have been Men of great Humanity themſelves, tho' in Executing the Orders of their King, they might have occaſion'd the Death of as many as *Cæſar* ever did. If *Cæſar* was criminal, how criminal muſt the *Republick* be, who had, out of an *inſatiable Ambition* and *Avarice*, deſtroy'd, at leaſt, an hundred Millions; and no inconſiderable Number, out of *Wantonneſs* and *Sport*? If *Cæſar* was led on to falſe Notions of Honour, and Glory; Was it not owing to the Common Wealth, which from the Beginning made thoſe to conſiſt in Encreaſing their Dominions at any Rate.

Their

Their *Ambition* ſtrangely blinded them, otherwiſe they muſt have ſeen, that Maintaining ſuch *prodigious Armies* to extend their Conqueſts, put them into the Power of the Generals of *thoſe Armies*; and that they muſt, after thoſe Generals had, with infinite Slaughter, fought it out, fall a Prey to ſome one of them; and that they then had nothing to do, but tamely to offer *their Throats* to be cut by an *Inſolent Conqueror*; who wou'd not fail to ſacrifice to his own *Revenge*, and of that of his Party, whomever he pleas'd; and to cut off all, whom, he imagin'd, were conſiderable enough to give him Diſturbance.

A City, with no great Territories belonging to it, may be able to ſupport itſelf under a popular Government; eſpecially, if there be a powerful Prince in the Neighbourhood to keep them united; but then they muſt be ſatisfy'd with their ſmall Extent of Land, and avoid all *Offenſive Wars* as a *Plague*.

Look the World over, and you can't find any large Dominion, but what is under abſolute Monarchy; how ſmall are the Territories of *Great Britain*, in Compariſon of thoſe of Old *Rome*? and yet, ſure, every thinking Man muſt be convinc'd, that a ſettl'd Common Wealth is impracticable here; tho' that ſeems now to be

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the Deſign of ſome Viſionaries: I mean, if they can be ſaid to have any other Deſign, but of Diviſion and Diſtraction.

Rome, long before ſhe arriv'd at her Grandeur, had been confounded by her inteſtine Diviſions, had ſhe not had frequent Recourſe to the Abſolute, tho' Temporary Power of a *Dictator*; and Things, at laſt, as every One acquainted with their Hiſtory muſt ſee, were brought into ſuch Confuſion, that nothing but a *Dictator* for Life, cou'd ſet them in Order; and happy were they, in having that Power fall into the Hands of a Man, of the greateſt Moderation and Clemency; tho' the *Romans* themſelves, even after they were ſomewhat ſoften'd by Luxury, were of a cruel, and fierce Temper.

And nothing ſhews this more clearly, than the extream Delight they took, in ſeeing Men deſtroy one another; or be deſtroy'd by Beaſts: This horrid Spectacle, not only the *Ediles*, and other Great Officers were oblig'd to entertain the People with; but whoever wou'd gain their Favour, muſt put themſelves to this Expence; which made the Great Men ſtrive to outvye one another, in Gratifying them after this Manner.

It cou'd not be expected, that the People of *Rome* ſhou'd not at firſt be very barbarous,

barous, and fierce; ſince no Citizen having above *two Acres*, the *Senator* as well as the *Plebeian*, was oblig'd to labour with his own Hands; and all they liv'd on was either their own Crop of Corn; or what they reap'd Sword in hand, and took by Force from their Neighbours: They were Strangers to all the *Arts* and *Sciences*, or elſe left them to their *Slaves*, or *Strangers*. Nothing is truer, notwithſtanding what their own flattering Hiſtorians ſay, than the Account *Coriolanus* gives of his Country-men, 'That the Kings of *Rome*, to 'ſtir up the Ambition of the *Romans*, or 'to juſtify their Robberies, had been ſo 'politick, as to ſpread abroad, that the '*Gods had decreed them the Empire of the* '*World*; and that the *Senate* had taken 'great Pains to keep up an Opinion, which 'Religion had made reverent; and that 'the People, perſuaded, and infatuated 'with theſe Viſions, look'd on *all Wars* 'to be juſt and holy, which tended to the 'Advancement of their Country's Great-'neſs." Men, who, at firſt, were no better than *Robbers*, and were afterwards continually in *Broils*, either at *Home* or *Abroad*, cou'd not but very fierce, barbarous, and cruel: So that as *Vertot* obſerves, 'Theſe 'eternal Defenders of Liberty were themſelves the Oppreſſors of the *Natural Rights*

'of

' of Men, and the *Tyrants* of all *Italy*. And what was another Proof of their Barbarity, was, that 'till the time of the *Decemviri*, they were govern'd by the *Arbitrary Judgments* of their Magiſtrates: It was not till then, that the People petition'd for a *Body of Laws*, for the Guidance of thoſe at the Helm, as well as for the Regulating Conteſts between private Perſons. And I may add, that if Cruelty and Superſtition are generally united, the *Romans*, who were greatly ſuperſtitious, cou'd not but be greatly cruel.

As *Riches* and *Luxury* encreas'd, ſo did *Arts* and *Sciences*; and they were no longer a ruſtick, unpoliſh'd People, yet their *cruel, fierce Temper* was not much abated; of which the Actions of *Marius* and *Sylla*, are a full, and ſurprizing Proof; but *Cæſar*, tho' educated by his Uncle *Marius*, retain'd nothing of that obſtinate Hatred, or that cruel Deſire of Revenge, which made that Chief of a Party ſpill ſo much Blood.

There's no more Reaſon to doubt the *Truth* of the Character of *Cæſar* giv'n by *Saluſt*, than his Character of *Cato*, being alike contemporary to both: But, *Pompey*, ſure, is an unqueſtionable Authority; and he, in his Flight from *Pharſalia*, adviſ'd the People of *Metylene* to ſubmit to *Cæſar*, as a Perſon of great Goodneſs and Clemency.

And *Suetonius*, not only ſays, that the Clemency and Moderation, *Cæſar* us'd after his Victory in his Adminiſtration, was to be admir'd, but gives ſurprizing Inſtances of it; particularly, that he took no further Notice of Conſpiracies, than to let the Authors of them ſee, that they were not unknown to him. Indeed, *Cæſar*'s Actions ſhew'd the obliging Eaſineſs of his Nature, the Sweetneſs, the Gentleneſs of his Temper; he was the moſt generous Maſter, and the moſt ſincere Friend, making their Intereſt always his own; the moſt forgiving Enemy, even to thoſe who had perſonally affronted him; more ready to forgive, than to be forgiv'n; he took the greateſt Delight in Relieving the diſtreſs'd, Raiſing the oppreſs'd, and in Denying nothing to any worthy Man, that was in his Power to beſtow; or was worth his Acceptance. And ſo far from Envying thr Honours of Others, tho' his Enemies, that he took Delight in Raiſing them; and ſet up the Statnes of *Sylla* and *Pompey*, thrown down by the People. And *Cicero* ſaid, *that* By that Act of Humanity, in ſetting up *Pompey*'s Statues, he fix'd his own.

The Hiſtorians of *theſe Times* ſuppos'd, that a Man's Diſpoſition might better be diſcern'd, by what he did in little Matters, where he acted without Reſerve, than in greater; and therefore, tell us, among other things,

things of this Nature, that when he was driv'n into a Cottage by a Storm, he gave the only Bed that was in it to a Friend, that cou'd not ſo well bear Hardſhip, and lay himſelf on the Floor; that to avoid every thing which look'd harſh, he, at an Invitation, choſe to eat, and that heartily, of *Aſperagus* dreſs'd in ſtinking Oil, rather than to ſeem to accuſe his Hoſt, either of Negligence, or ill-breeding; and told thoſe, who found fault, that *Their Reflecting on another's want of Breeding, ſhew'd the want of it in themſelves.*

I can't think it any great Crime in *Caſar*, that the firſt time he was *Conſul*, he got an *Agrarian* Law; by which he provided for 20000 *Roman* Families, that had each of them three Children, or more, reduc'd to the utmoſt Poverty, in the Wars of *Marius* and *Sylla*; tho' in Oppoſition to the *Senate*, who pretended that the *Republick*, then Miſtreſs of the World, might be in Diſtreſs for want of them; much leſs that it was a Crime in him when he was *Dictator*, to take Care of no leſs than 80000 *Roman* Families; by Allowing them Lands in the Provinces: Nor can I think it a criminal Liberality, in Laying out his own Money, when he was far from being rich, a great Sum, when he was Surveyor of the *Appian* Way, to make it more commodious.

If *Cæsar* had, upon Restoring Peace, reduc'd himself to a private Condition, that wou'd soon have produc'd a new *Civil War*, and again embroil'd the *Roman* World; which had so much need of Rest: As long as there were Soldiers to be had, there cou'd be no want of ambitious Men, to contend for the first Post in the World. In the Circumstances things were, he took the only Way to repair the Calamities of the Civil War, and put *Rome*, and the Provinces, miserably haras's'd and impoverish'd, into a flourishing Condition again; and endeavour'd to settle all things, as far as they were capable, upon an happy, and lasting Foundation: Which, considering the Disorder they were in, cou'd not be done by any advanc'd in Years, as *Cæsar* was, unless he was created *Dictator* for Life. 'Twas this made *Seneca* say *, 'That *Cæsar* was so u-'nited, and incorporated with the *Repub-'lick*, that no Separation cou'd be made 'without Spoiling, and Ruining all.

If there was nothing, which was for the Good of the People, that *Cæsar* was not as ready to do, as they to ask; if he depriv'd them of no other Liberty, but of running Things into Confusion, and of murdering one another almost as often as they assem-bl'd;

* *De Clemen. l. 1. c. 4.*

bl'd; if this was *Tyranny*, then *Cæsar* was a *Tyrant*.

Were the People in such a Condition under *Cæsar*, as they were when the *Senate* had the chief Power, whose Misery *Tiberius Gracchus* thus describes, 'The wild Beasts 'Beasts have Dens to retire to, while the 'Citizens of *Rome* have not a Cottage to 'shelter them from the Inclemency of the 'Weather; but are forc'd to wander about 'like miserable Exiles in the Heart of their 'own Country. They call you, *added he*, 'the Lords, and Masters of the Universe. 'What Lords! what Masters! You whom 'the Grandees have not left so much as an 'Inch of Ground to serve you for a Grave. Or had the *Senate* any such Reason to complain of the *Tribunes*, as when Men, who had been *Consuls*, put themselves to Death, to avoid the Insults of the *Tribunes*? Were they not entirely free from any such Outrages as they suffer'd under *Saturninus*, the *Tribune*; who banish'd the good *Metellus*, and caus'd *Memmius*, an Eminent *Patrician*, for presuming to stand Candidate for the Consulship, to be caned to Death by one of his Guards, by whom he exercis'd an open Tyranny in *Rome*; and by Force carry'd every thing. How happy ought the *Senate* to have thought themselves, when they consider'd how *Marius* had us'd them;

'When

'When a Band of furious Slaves, the Inſtru-
'ments of his Vengeance, did nothing but
'murder the Heads of Families, plunder
'their Houſes, raviſh the Women, and
'carry off Children; Ruffians, at the leaſt
'Sign of *Marius*, ſtabb'd all that came be-
'fore him; and who had Orders to kill all
'thoſe on the ſpot, to whom he did not re-
'turn the *Salute*; ſo that his very Officers,
'and Friends, never came near him, but
'in Fear, and uncertain of their Fate.'
And *Sylla*, tho' a *Patrician*, and a well-bred
Man, acted infinitely worſe; he deſtroy'd
an hundred thouſand of his Fellow Citizens,
and maſſacred ninety *Senators*, of which,
fifteen had been *Conſuls*, and more than two
thouſand, ſix hundred *Knights*. Theſe Con-
ſiderations ought to have made them look
on *Cæſar* as their *Tutelar God*, and guarded
his Life as their own; ſince if he miſcar-
ry'd, they were in Danger of falling into as
bad Hands as *Marius*, or *Sylla*.

Victory, which uſually makes People in-
ſolent, made *Cæſar* more humble and con-
deſcending. This great Conqueror parted
with his very Guards, and mix'd with his
Fellow Citizens without any Attendants,
to keep him from Inſults. Neither his own
Injuries, nor thoſe of his Friends, who, as
often as they fell into the Enemies Hands,
were, during the whole War, treated moſt
ba-

barbarouſly; cou'd make him forget as ſoon as the Heat of the Battle was over, to give ſtrict Orders for *Sparing the Citizens*; and treating them afterwards, as if *Pompey*, and not he, was Conqueror.

'Twas this Conduct of *Cæſar*'s after the Ending of the Civil Wars, which *Cicero* makes to be more glorious than all his Conqueſts, in which Others ſhar'd; and ſays, *Hæc qui faciat non ego cum ſummis viris comparo ſed ſimillimum Deo judico.*

Cæſar, who was ready to forgive the greateſt Injuries, never put any on the Neceſſity of Flattering him, or Diſguiſing their Sentiments: And *Cicero*, tho' perhaps, not a Man of the greateſt Courage, yet was honeſt, and incapable of doing mean things; much leſs of telling notorious Falſhoods. If *Cæſar* had acted tyrannically, he durſt never have ſaid, ' * As ſoon as your Clemency was known, who cou'd not but approve of that Victory, in which none were ſlain, but with Arms in their Hands. ' —— Your Fortune cou'd have nothing greater to beſtow, nor cou'd your Benevolent Nature wiſh for more, than the Power to preſerve. † He is an ungrateful, an unjuſt Citizen, who being deliver'd from the Danger of Arms, ſtill keeps his Mind arm'd againſt his Deliverer." And he

* *Orat. pro Lig.* † *Orat. pro Marcell.*

he takes it for granted, that his Clemency had entirely disarm'd his Enemies, *De tuis inimicis amaciſſimi ſunt.* 'All Civil Diſſen-'tion had been ſubdu'd by Arms, and ex-'tinguiſh'd by the Equity of the Victor. 'remains, that all of us, who are capable 'of juſt Reflections, or the Uſe of Com-'mon Reaſon, ſhou'd declare for You a-'lone; unleſs You are ſafe, we have no 'Hopes of Safety. —— Who is there ſo 'ignorant of all Things, who underſtands 'ſo little of the State of the Republick, 'or thinks ſo meanly of his own, or the 'Common Safety, not to believe his own 'Welfare is contain'd in Yours; and that 'upon the Life of One, the Lives of All 'depend. If You ſhou'd be taken off by 'Treachery, what God is there able, tho' 'ever ſo willing, to ſave the Republick. '— We adviſe, we beſeech You to have 'the greateſt Regard to your Life and 'Health; We all engage, not only to be 'your Centinels and Guards; but alſo each 'to interpoſe his own Perſon in your De-'fence." After this, 'tis no wonder, that the Conſpirators carefully conceal'd from him their Treaſon.

Cicero does not lay ſo great a Streſs, wholly upon the Account of the fatal Diviſions, which wou'd happen by his *untimely Death*; but by the Care, he believ'd, he wou'd take

take, of Settling all Things, which wante a Perſon of *Cæſar*'s Abilities to do: ' Courts ' of Judicature are to be reſtor'd, Publick ' Credit reviv'd, Debaucheries ſuppreſs'd, ' Matrimony encourag'd, and all Things, ' which have been of late neglected, to be ' reſtrain'd by ſtrict Laws.

Cicero does not ſpeak thus without juſt Grounds, he knew that the great *Genius* of *Cæſar* cou'd never be unactive; and that whatever irregular Things, the Deſire of Glory, the predominant Paſſion of *Cæſar*'s Soul, might cauſe him to commit, before he came to the Height of Greatneſs; yet then he cou'd have no Paſſion; but what muſt employ his great Abilities for the Publick Good; and make thoſe happy, who were under his Protection; that being the only Way to fix his Glory. *Plutarch* ſays, ' The many Noble Exploits ' *Cæſar* had done, did not invite him to ' ſit ſtill; but were Incentives and En- ' couragements to go on, and to raiſe in ' his Soul the Ideas of ſtill greater Acti- ' ons, and a Deſire of New Glory; as if the preſent were all ſpent: And mentions his Deſigns of making Rivers Navigable, Cutting great Channels to the Sea, making Ports and Harbours, and Draining of Marſhes for the Employing many thouſand Hands in Tillage. And in *Sue-*

tonius, there are a great Number of Inſtances of this Nature; which none but ſo ſublime, and univerſal a *Genius* as *Cæſar*'s durſt undertake.

He endeavour'd to regulate the Manners of the People, by the Example he ſet them: He always liv'd a ſober, temperate, and regular Life, and caus'd ſtrict Juſtice to be adminiſter'd in his own Family: Of this, *Suetonius* gives remarkable Inſtances; and *ſays*, He made it his Buſineſs to adminiſter ſtrict Juſtice, *Laboriosiſſime & ſeveriſſime jus dixit*. And that he condemn'd thoſe, even of the beſt Quality, that were guilty of Bribery; and took ſpecial Care to put the *Sumptuary Laws* in Execution. And that Juſtice might be the eaſier come at, he deſign'd to have reduc'd the Civil Law into Order; and the vaſt Number of Laws being become a Burden, to retain only the moſt Neceſſary and Beſt. And he, who wou'd not omit ſo ſmall a Matter, as the *Regulating of Time*, as he did by the *Julian* Account, wou'd not, had he liv'd, have neglected any Thing of greater Moment.

That nothing ſhou'd be wanting to compleat the Happineſs of the People, and to ſoften, and civilize their fierce Tempers, he encourag'd all *Arts* and *Sciences*, and made the Profeſſors of them free of the City, and

and promoted Publick Libraries, both in *Greek* and *Latin*.

In a word, what he had done before ſhew'd him the Greateſt; but what he Now deſign'd, ſhew'd him the Beſt of Men; and the greateſt Lover of his Country. And as *Bayle* obſerves, (Art. *Cæſar*.) 'In all Likelyhood, if he had liv'd Ten 'Years longer, he wou'd have done the 'fineſt Things in the World, for the Glo-'ry and Proſperity of the *Roman* People; 'but he was kill'd in the Midſt of the 'Greateſt Projects, that a ſublime Wit, 'and an heroick Courage cou'd under-'take.

Theſe Deſigns for the Publick Good, no doubt, brought on his Ruin; for tho' the better Part of the *Senate*, who lov'd Peace and Quiet, and being free from Inſults, either by the *Tribunes*, or the reſtleſs Men of their own Order, thought themſelves happy under his Government, and wiſh'd for nothing more, than the Settlement he was going to make: Yet the Men of deſperate Fortunes, and thoſe us'd to an unbridl'd Licenſe, eſpecially thoſe, who, according to Cuſtom, aim'd to be at the Head of Armies, Plundering the Provinces, Inſulting, Robbing, and Deſtroying their Fellow-Citizens, cou'd not bear his deſign'd Regulation. And

easy, no doubt, judg'd right; since if *Cæsar* had continu'd longer in Power, he wou'd, if it had been possible, have settl'd Things on so secure a *Basis*, as wou'd not have made it so easy for them, to have accomplish'd their wicked Designs.

Cæsar, one wou'd think, was not guilty of any great Crime, since the chief Cause of his being assassinated, was, as Historians agree, his not Rising up to compliment the *Senate*, upon their Waiting on him in a Body. Their Resenting this Neglect, as an unpardonable Affront, shews he did not treat them so at other Times. Authors are divided, Whether it was an Effect of Pride, or owing to a Giddiness then upon him, by reason of the *Falling-Sickness*, he was subject to. This shews, upon what slight Accidents, Things of the greatest Moment depend; and the Disaffected did not seem so much concern'd at the real Power *Cæsar* exercis'd, as at the Apprehension, that he design'd to exercise this Power under a *New Title*; and be call'd *KING*, in the Provinces. This made *Octavius*, seeing how much more the wise *Romans* were govern'd by *Names* than *Things*, take the greatest Power under the least *invidious Titles*.

Cæsar

Cæsar was far advanc'd in Years, and with him the *Dictatorship*, which was not Hereditary, wou'd have ceas'd of Course: There's no Colour to suppose, that he design'd (which none that had the Power in their Hands ever attempted) to make that Honour perpetual in his Family: He had no Children to induce him to do it; and he was so far from seeking to aggrandize his Nephew, that he gave away very considerable Legacies, besides those he bestow'd on the People of *Rome*; whom he treated as his Children, and they lov'd him as their common Parent.

Cæsar, tho' of an Age which requir'd Rest, and a State of Health broken with innumerable Fatigues; and tho' he wanted nothing to make his own Glory immortal, yet for the Recovery of the *Roman* Honour, which had much suffer'd by the Defeat of *Crassus*, and to prevent the Provinces next to the Enemy from being harrass'd, he had prepar'd every Thing, at that Time he was assassinated, to march against the *Parthians*. And *Plutarch* supposes, he not only design'd to subdue them, but all those other Nations, which hinder'd the *Roman* Empire from being bounded on each Side by the Ocean; and if in carrying on this Design he had dy'd, then had been the Time, if People cou'd have agreed to have

settl'd

ſettl'd the Government upon the former Baſis.

Lucretia did not more effectually ſtab the Monarchy, by ſtabbing herſelf, than the Conſpirators the Common Wealth, by the Stabs they gave to *Cæſar*. The People, as they never lov'd the *Senate*, ſo by this Villanous Act of the Conſpirators their Averſion encreas'd; and in Truth, thoſe Men, by this very Act, open'd the Door for abſolute Monarchy to enter, tho' ſhutting it out was their only Pretence. All wiſe Men fore-ſaw, that nothing but fatal Miſchiefs muſt unavoidably happen by an Aſſaſſination; they knew there was no Rage ſo fierce, as that wrought up by Pity on one Hand, and Deteſtation of a horrid Crime on the other; that it was this that rais'd up ſuch an immortal Hatred againſt the *Tarquins*, and the *Decemviri*; and that, therefore, there was nothing ſo terrible, but might juſtly be apprehended from an Army, and People, devoted to the Memory of a Man, ſo dear to them while alive.

Our *Cato*, to juſtify the Aſſaſſination of *Cæſar*, repreſents him as the worſt, to make *Brutus* his Friend; and *Brutus* as the beſt of Mankind; and ſays, 'It became the 'Craft of a Tyrant; it was adding a ſort 'of Sanctity to a wicked Cauſe;" but he can't

can't be ignorant, that Hiſtorians put *Cæſar*'s Kindneſs to *Brutus* upon another Account, his Intriegue with *Servilia* *, the Mother of *Brutus*; and *Cæſar* believ'd him to be his natural Son; And before *Brutus* had not been employ'd in any, but a mean Poſt under his Uncle *Cato*. He gave particular Directions to his Officers, to take Care of his Life, and even to let him eſcape, if they cou'd not prevail on him to yield; and he expreſs'd a great deal of Joy, to find, upon *Brutus*'s Writing to him, that he was Safe; and it was upon what *Brutus* told him, that, being confident *Pompey* was fled to *Egypt*, he directly perſu'd him thither. This is far from looking like an honourable Part in *Brutus*; and perhaps, *Pompey* had not been put to Death in *Egypt*, had it not been believ'd, that *Cæſar* was following him!

If *Brutus*, not to make his Fortunes by the Means of his Uncle *Cato*, but out of Principle, follow'd *Pompey*; why did he, in the Heat of the War, when *Cæſar* went againſt *Cato* and *Scipio*, not join with his Uncle, but deſert the Cauſe, and take the Government of *Gallia Ciſalpina* under *Cæſar*? I ſhall be glad to know of the *Journaliſt*, upon what Principles he can juſtify *Brutus*,

* *Plut. in Brut.*

Brutus, Did he act this in the Midst of the War, to add a Sanctity to a wicked Cause? and did he not continue ever after to make his Court to *Cæsar*, Who was so fond of this Natural, Unnatural Son, that he cou'd deny him nothing? and it was by his Means *Cæsar* was reconcil'd to *Cassius*. And when there was a Contest between these *Two* about the Prætorship; *Cassius*, says *Cæsar*, *pleads with most Justice*; *but* Brutus *must have it*. For which great Indignity, *Cassius* never forgave *Cæsar*, but resolv'd on his Murder; and then made *Brutus*, whom he no more lov'd than *Cæsar*, his Accomplice: And 'tis not improbable, that those Notes, which were secretly put under the Statue of the old *Brutus*; or left upon the *Prætor*'s Tribunal, were all of *Cassius*'s Contrivance: And when he thought the Vanity of *Brutus* was sufficiently wrought on, then he condescended to be reconcil'd, and made him the first Visit, and engag'd him in this Conspiracy: So that *Brutus* was not only a most ungrateful, and perfidious Friend, but a *Parricide*, doubly a *Parricide*, in Murdering his own Father, as well as the Father of his Country; and tho' he made his Mother very unhappy by this Blow, yet he made his Country much more so.

It was a Contrivance that ſuited the Character of *Caſſius*, not only to murder *Cæſar*, for giving the Preference to ſo unexperienc'd a Man as *Brutus*; but to make *Brutus* himſelf the Inſtrument of doing it: And *Plutarch* owns *, that *Caſſius* had a great Aſcendant over him; and ſays, 'Caſ-'ſius was generally accus'd of putting *Bru-'tus* upon ſeveral violent, and cruel *Acti-'ons.*' And, indeed, *Brutus*, tho' he was a Scholar, and a Philoſopher, and a formal, grave Perſon, was, at the Bottom, but a weak Man; his Agreeing to have the Funeral of *Cæſar* publickly ſolemniz'd, and his being for Fighting unſeaſonably before, and after *Caſſius*'s Death, do not ſhew much Judgment.

My Friend *Cato* ſays, 'That *Cæſar* de-'ſign'd him his Heir, and Succeſſor; but 'that *Brutus* preferr'd the Liberty of the 'World, to the Empire of the World.' But there's no credible Author, who ſuppoſes *Cæſar* deſign'd to have adopted him; and in *Cæſar*'s Will *Decimus Brutus* next to *Octavius*, is made his Heir: But allowing this to be ſo, that wou'd, indeed, heighten his Ingratitude; but not have giv'n him the leaſt Pretence to the Empire: Nor did *Octavius* claim any Power,

* *In Vit. Brut.*

or Office, by Virtue of being *Cæsar*'s Heir; no, *Brutus* had the chief Hand in giving the Empire of the World to *Octavius*. How cou'd the People more effectually shew their Love to the Memory of the Man they ador'd, their deep Concern for his Murder, and their Abhorrence of his Murderers; but by raising his Heir to such an Height, as wou'd enable him to revenge his Death; so that all the Passions rais'd by this detestable Crime, tended only to the Advancement of young *Cæsar*; who, without it, if his Merit had not been greater, wou'd not have made a greater Figure than others of his Quality: 'Tis the usual Fate of such Conspiracies to promote what they intend to hinder.

The first *Brutus*, by putting his Sons to Death, establish'd the Republick; the second *Brutus*, by murdering his Father, destroy'd himself, and the *Republican Party*.

The Belief of an evil Genius twice appearing to him, shews, either how that small Judgment he had was disorder'd, and confounded at the approaching Danger; or else, that he was under a strange Horror of Conscience for *Parricide*; and he must have been extreamly harden'd, not to be affected with the dying, and last Words of *Cæsar*; who, when he saw *Brutus*, with his up-lifted Dagger, ready to pierce his Heart, mildly said, *And thou too my Son* Brutus! And then laid himself down at the Foot of *Pompey*'s Statue, without complaining, or shewing any Marks of Grief or Weakness, while the Conspirators, in their Fury, wounded one another. And if *Valerius Maximus* says

ſays true, * *Caſſius* in the Heat of the Battle, ſaw *Cæſar* with a Mein more than humane, and an angry, menacing Countenance, making up full ſpeed to charge him; which Spectacle ſo amaz'd him, that he turn'd his Back, ſaying, *'Tis Time to give over; What is there more to be done; if to kill him is inſufficient!*

'Tis no more to be wonder'd at, that *Brutus* ſhou'd be extoll'd by the Writers of the *Pompeian* Party, from whom others afterward copy'd, than that *Garnet*, one of the chief Conſpirators in the *Gun-Powder-Plot*, ſhou'd be made a Saint at *Rome*; or *James Clement* be cry'd up by the Leaguers in *France*, as a Perſon inſpir'd by God; and if any, out of Hatred to the Barbarity of ſome of the Succeſſors of *Auguſtus*, commended *Brutus*, they, if they had conſider'd, how inſtrumental he was in fixing the Monarchy, wou'd have as much condemn'd him, and that hot precipitate Action.

The Conſpirators, tho' after the Death of *Cæſar*, they made uſe of the Name of the *Senate*, yet had no Regard to its Authority; not content with the Governments the *Senate* beſtow'd on them, they, without any Commiſſion, either from People or *Senate*, ſeiz'd on the Provinces, and heavily oppreſs'd them. *Brutus*, for Inſtance, who had only the Government of *Crete* beſtow'd on him, ſoon ſeiz'd on *Macedonia*; and there they rais'd great Armies, even while *Antony* and *Octavius* were engag'd againſt one another. The Riches that *Brutus* got from the

* l. 2. c. ult.

the Provinces muſt be vaſtly great, ſince his Army, in the Splendour of their Arms, * and the Richneſs of their Equipage, did wonderfully exceed That of *Cæſar*'s; for moſt of their Arms were of Gold and Silver, which *Brutus* had laviſhly beſtow'd on them. And he not only gave before the laſt Battle 2000 *Drachma*'s to each Soldier; but promis'd his Army, that they ſhou'd have the Spoiling and Plundering of two Noble *Grecian* Cities, *Lacedemon* and *Theſſalonica*. Did his Friend, his Patron, and Father, whom he deſtroy'd for an Uſurper and Tyrant, act after this Rate, during the Civil Wars? but *Brutus*, it ſeems, might plunder, oppreſs, ſtarve, and deſtroy the People, as long as it was to ſet them free; and there were innumerable ſet free, by the ſame Means as he made himſelf free, by being kill'd.

The People of *Xanthus* had ſo great an Abhorrence of the Cruelty of *Brutus*, that they, both Men and Women, choſe to kill themſelves, and their Children, rather than to fall alive into the Hands of *Brutus*; and they, whom it ſo highly concern'd to be rightly inform'd, were, no doubt, as competent Judges in this Point as any after Writer.

Suppoſe *Caſſius* and *Brutus* had prevail'd; what cou'd have hinder'd *Caſſius* from endeavouring to ſeize the Empire? What elſe cou'd be expected from a Man of ſo fierce and cruel a Temper; who deſpis'd *Brutus*, as one fitter to epitomize Books, than to command Armies? and

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* *Plut. in Vit. Brut.*

And they who had quarrell'd so much before, and whom common Danger only united, wou'd soon have come to Blows: But suppose *Brutus* had conquer'd, the People wou'd not long have been without an Head to oppose him, and the *Senate*; and nothing less cou'd be expected from the Character, that *Machiavel*, tho' a stanch *Republican*, gives of the People of *Rome*. 'That 'tho' they had both the *Consuls*, the *Censors*, the '*Prætors*, and other Great Officers chosen out of 'their Body, yet were carry'd on by such an 'exorbitant Fury, that they even ador'd such 'Men as were forward to insult the *Patricians*. 'This was, *says he*, the Rise of *Marius*'s Great-'ness, and his Greatness the Destruction of '*Rome*; *Cæsar* made himself Master on the same 'Foot, and when the People might have been 'free, they were for continuing the Tyranny 'in his Family." What a Madness was it, to attempt, especially, by such vile Methods, and with the Destruction of an Infinity of People, the Restoring a Government, when neither of the governing Parties cou'd bear one another.

Must it not be allow'd, that *Brutus* meant well, in endeavouring to destroy the worst, and restore the best Government? A Man, who, when dying, declar'd *Vertue is but an empty Name*; may, while living, be govern'd by Vanity, and not Vertue: So there's no Judging of his Intention. *Rome*, upon the abolishing the Monarchy, was, as *Vertot* observes, in effect an *Aristocracy*; which is far from being a good Government; especially, where it is plac'd in an *Hereditary* Nobility; because the *Governors* will soon have an Interest distinct from the *Governed*;

verned; which quickly happen'd in *Rome*: Where, to avoid the Confuſion that this Government had introduc'd, they, who aboliſh'd the Monarchy, becauſe of its too great Power, were forc'd, in fifteen Years after, to have recourſe to the Abſolute Power of a *Dictator*; and Things were worſe manag'd, as the Government became popular.

Plutarch ſays, 'The true Character of the 'Temper of a Popular State, is only a Liberty 'for all Perſons to be Slaves to the wild, arbi-'trary, and extravagant Humour of a giddy, 'raſh, and inconſiſtent Multitude of Fools, 'manag'd by a Sett of cunning Knaves: *" But when a Popular Aſſembly, as it was at *Rome*, is compos'd of a prodigious Number; and many of them Military Men, not only Corruption and Bribery, but Violence and Blood is unavoidable; and, therefore, it was not to be wonder'd at, that when the great Offices were to be diſpos'd of, that each Candidate brought into the *Forum*, an Army of Citizens to ſupport his Pretenſions, and combat his Adverſaries.

Let abſolute Monarchy be ever ſo vile a Conſtitution, yet the People of *Rome* enjoy'd more Peace and Happineſs under *Auguſtus*'s Reign, than they did from the Expulſion of their Kings to thoſe *Halcyon* Days. And I do not find in all that Interval, ſo continually great was the Buſtle, a time, where a Man of a peaceable Diſpoſition wou'd deſire to have liv'd in that Re-

* *De Vit. Demoſt.*

Republick. It was one of the three Wiſhes of St. *Auſtin*, to have ſeen *Rome* in all its Glory, as it was in this Reign; for *Auguſtus* not only chang'd the City from Brick to Marble, but likewiſe poliſh'd the Manners of the Inhabitants. In his Time, Arts and Sciences arriv'd to the higheſt Perfection; and then flouriſh'd thoſe great Men, who ever ſince have paſs'd for the Standards of Wit and Sence. 'Tis to the Time of the *Caſars*, we owe moſt of thoſe Famous Hiſtorians, who made ſuch Elegant Speeches for their Anceſtors, and gave ſuch handſome Turns to their Actions.

Tho' the Emperors, who ſucceeded *Auguſtus* were very cruel, yet in treble the Time, nay, perhaps, in all the Reigns of the *Heathen* Emperors, there was not ſuch a Havock made of the People, as from the Beginning of the *Bellum Sociale*, to the Reign of *Auguſtus*.- This, ſure, our *Cato* can't deny, who owns, that in thoſe Quarrels two Thirds of the People were deſtroy'd: So that there cou'd be but one Third of the *Roman* People left for the Emperors to practice on; and 'tis eaſy to ſhew, it was the ſame in the Provinces. The Heads of Parties were much like the old Man's two Wives; one pull'd out the black, and the other the white Hairs, 'till his Pate was quite bald. Did any of the greateſt Monſters of the *Roman* Emperors follow *Sylla*'s Way of Preſcribing, who made thoſe that had fought againſt him, kill one another; that the Survivors, by this Means, might obtain his Pardon? 'Tis not for the Honour of the *Romans*, that the only Man, who forgave all his Enemies,

ſhon'd

ſhou'd be murder'd; while *Sylla*, who deſtroy'd them all, and made their Children Beggars and Fugitives, ſhou'd be ſafe.

My *Cato* is very poſitive, 'That the Con-'ſent of the *Senate*, and all good Men was 'with the Conſpirators; and none but the 'proſtitute Creatures of Power, and thoſe that 'ambitiouſly ſought it, with their deceiv'd 'and hireling Followers, condemn'd it.

He can't ſtand to this Aſſertion, without condemning what he has ſaid in many of his Papers; not only in Commendation of the People of *Rome*, but of the People in general. As for Inſtance in that of *April* 8. he ſays, 'The People have no Bias to be Knaves, the 'Security of their Perſons and Property is 'their higheſt Aim; no Ambition prompts 'them; They can ſerve no End by Faction; 'They have no Intereſt, but the general Inte-'reſt:" And, he quotes *Machiavel*, for ſaying, 'No wiſe Man need to decline the Judgment 'of the People, in the Diſtribution of Offices 'and Honours; in which, ſays he, I ſuppoſe, 'he includes Puniſhments; for in theſe Things 'they are almoſt infallible." Now, we will ſee what was the Judgment of the *Roman* People, almoſt infallible in the Diſtribution of Puniſhment: They in a full Aſſembly, not with a *Tribune*, but a *Conſul* at their head, condemn'd the Conſpirators to Death. And they, who, as *Cato* ſuppoſes, had no Intereſt, but the general Intereſt, always thought theirs wrapt up in that of *Cæſar*'s: *For which Reaſon

Pompey,

* *Vertot.*

Pompey, in the beginning of the Civil Wars, durſt not arm the People, leſt they ſhou'd declare againſt him in Favour of *Cæſar*, tho' abſent; who, when he march'd to *Rome*, was receiv'd by all the People with a general Applauſe; and after his Death, not one of the People declar'd for the Conſpirators, but bewail'd the *Dictator*, as the Father of their Country. Upon the ſight of *Cæſar*'s bloody Robe, all the People melted into Tears, each celebrated his Praiſes; Some cry'd up his uncommon Valour; Others his Sweetneſs and Clemency; all equally abhorr'd the Cruelty of the Aſſaſſins: And the People, in hopes of ſeeing ſpeedy Vengeance taken of the Aſſaſſins, decreed to *Antony* the Province in the Poſſeſſion of *D. Brutus*; thinking it not fit, that he ought to retain an Employment, which he had receiv'd meerly from the Bounty of a Man, whom he had ſtabb'd as a Tyrant and Uſurper. Now, if the Judgment of the People, as *Cato* owns, was unappealable, and it was Treaſon to violate the Sacred Majeſty of the People, it cou'd be no leſs than Treaſon, to declare *Antony* a Traytor, for going to take Poſſeſſion of that Government. But if the *Senate* and People were upon an equal Foot, then the Body Politick, was a Monſter with Two Heads, and the Subjects, inſtead of obeying both, cou'd obey neither; and conſequently, a Diſſolution of Government muſt follow.

After the Funeral, the People erected for him in the *Forum*, a Pillar of *Numidian* Marble, and with thoſe Words inſcrib'd on it, * *Father*

* *Suet.*

of his Country; near the ſame, for a long Time after, they continu'd to Sacrifice to him; and to make Vows, and to decide (which ſhews the Opinion they had of his Juſtice) Controverſies with Swearing by *Cæſar*'s Name: And *Matrons* were ſo overcome with Grief, that moſt of them threw the Ornaments, which they themſelves wore, and thoſe of their Children, into the Fire at his Funeral. And 'twas not the People of *Rome* only, that ſhew'd the deepeſt Sorrow; but a Multitude of Foreigners, each after the Manner of their Country, expreſs'd their Grief; eſpecially the *Jews*: And theſe Marks of Grief, conſidering the unſettl'd State of Things, cou'd not be out of Compliment to the Living.

Cato ſays, 'That *Cæſar*'s Laws were no Laws; 'nay, worſe than none:" There he, and the *Senate* entirely differ; for they *Decreed*, * That not any of the leaſt of them ſhou'd be alter'd, which *Cæſar* had enacted, during his Government: And likewiſe *Ordain'd*, that he ſhou'd be *worſhip'd as a God*; and if any Mortal cou'd deſerve divine Honours, it was he, who had ſo many divine Qualities: Aud our *Cato* can't, ſure, think, the Senate wou'd have *decreed* Them to a Perſon *as a God*, if at the ſame Time they had declar'd him a Tyrant and Uſurper. 'Tis true, in the ſame Decree, which confirm'd the *Ordinances* of *Cæſar*; it was *ordain'd* for Peaceſake, that none ſhou'd be proſecuted for *Cæſar*'s Murder: And perhaps, That had not paſs'd ſo eaſily, had not *D. Brutus* been Maſter of a powerful Army ſo near *Rome*, as *Gallia Ciſalpina*. Our

* *Plut. in Vit. Cæſ.*

Our *Cato* says, 'That the *Senate* declar'd 'Mark *Antony*, a Publick Enemy, for making 'War against *D. Brutus*, and sent both of the 'Consuls with an Army against him;" but was not That confirming what the *Dictator* had done, who gave this Conspirator that Government; which *Antony* wou'd have depriv'd him of: 'Tis true, both of the *Consuls* were at the Head of that Army; but 'tis as true, that *Pansa*, the *Consul*, that surviv'd the Battle, told *Octavius*, as he was dying, '* That his De-'sign was by Force of Arms to compel *Antony* 'to be reconcil'd to him, to join their Armies, 'and in Conjunction, to persue the Murderers 'of their common Benefactor."

How cou'd the *Senate* be so vain to imagine, that any of *Cæsar*'s Soldiers, several of whom chose Death in the Civil Wars, rather than to fight against their General, wou'd really assist one of his Murderers: 'Tis no Wonder, that the Blood of this Assassine, whom his own *Legions* deserted, shou'd cement the Friendship between *Antony* and *Octavius*.

The *Journalist*, tho' he tells us, That the *Senate* declar'd *Antony* a Publick Enemy; yet conceals, that this very *Senate*, without the least Submission on the Part of *Antony*, solemnly revok'd all the *Decrees* they had enacted against him, and his Adherents.

If it be said, This was done out of Fear of young *Cæsar*, and that he, too Wise it seems to be trick'd, over-aw'd them with a few *Legions*: Was it then worth the while to destroy the *Dictator*, for such a Liberty as this, worse

* *Vertot.*

than any Tyranny? ſince their Authority was of no other Uſe, than to Countenance the Attempts of thoſe who were at the Head of *Legions*; but the good *Senate* had been long us'd to this way of Proceeding.

Endleſs are the Authorities, which condemn this Action of *Brutus*, nay affirm, 'That *Rome* 'was reduc'd to thoſe Circumſtances, that it 'cou'd not ſubſiſt, but under a ſingle Perſon. '*Vertot*, who is, certainly, a very good Judge, 'affirms, that *Rome*, in thoſe Days, had ſcarce 'any Thing at Command, but the Choice of 'her Tyrants."

Grotius ſays *, 'That ſometimes the Con-'ſtitution of a City is ſuch, that it ſeems not 'capable of being in Safety; but under the 'Government of a ſingle Perſon, which many 'wiſe Men thought to have been the State of '*Rome* in the Time of *Auguſtus*": And this was the Senſe of the *Romans* themſelves: *Tacitus* obſerves †, 'That it was the Sentiments 'of the wiſe Men, that there was no other 'Cure for their Diviſions, but a Monarch." *Non aliud diſcordantis Patriæ remedium fuiſſe quam ut ab uno regeretur.* Again, *Pacis interfuit omnem poteſtatem in unum conferri.* ‡ And *Pompey* himſelf, even after the Battle of *Pharſalia*, when *Cæſar* was ready to reap the Fruits of the Victory, own'd, nay, demonſtrated, how neceſſary it was, that the Common Wealth ſhou'd be turn'd into a Monarchy *; and thoſe who had otherwiſe a good Opinion of *Brutus*, highly con-

* *De Jure Bell.* † *Ann.* ‡ *Hiſt.* * *Plut. in Vit. Pomp.*

condemn'd him for this Action. 'By that one 'rash Action, says * *Paterculus*, he cancell'd all 'the former Vertues of his Life.' *Seneca* says, *Brutus*, was horribly mistaken, in hoping for a return of a *Republican Government*; while the Manners of People were so corrupt, and the Price of Ambition so very great; and when he saw so many Thousands fighting, not for Liberty, but only whom they shou'd serve; and therefore, concludes in saying †, *Quanto vero illum, aut rerum naturæ, aut urbis suæ, tenuit oblivio qui, uno interrempto, defuturum credidit alium, qui idem vellet.*

In a Matter so very plain, I shall quote but one Authority more, and that shall be of *Dion Cassius*, and that in the Words of *Bayle*. 'That 'Historian, says he, ‡ observes two Things. '1. That a wicked Fury seiz'd some who en-'vy'd *Julius Cæsar*, and hurry'd them on to kill 'him unjustly. 2. That tho' they alledg'd the 'fair Pretence of Re-establishing Liberty, yet 'their Action was really Impious, and threw 'back the State into Seditions, when it began 'to taste the Advantages of a good Administra-'tion. He afterwards declares, That Monar-'chy is to be preferr'd before Democratical 'Government; and that both *Greek* and *Roman* 'History shew, that Cities, and Private Per-'sons, have enjoy'd greater Blessings, and felt 'less Adversity under the Authority of a sin-'gle Person, than under a popular Govern-'ment; that if there have been States, which 'have flourish'd under such a Government, it 'lasted no longer than 'till they had attain'd a

'certain

* *l.* 2. *c.* 72. † *De Clemen.* ‡ Art. *Brut.*

" certain Point of Greatneſs and Power, beyond " which, nothing but Diſcord can be ſeen, the " Fruits of Envy and Ambition; and therefore, " ſince the City of *Rome* ſaw itſelf, at that Time, " Miſtreſs of a great many Nations, and glut- " ted with Riches and Plenty, it was impoſſible " but the Inhabitants ſhou d give a Looſe to " their Paſſions in the midſt of their *Republican* " Liberty; and yet more impoſſible, that while " none of them reſtrain'd their Deſires, they " ſhou'd agree among themſelves. That if *Bru-* " *tus* and *Caſſius* had well conſider'd theſe Things, " they wou'd never have kill'd the Head of the " *Re-publick*, nor thereby plung'd themſelves, " and the whole *Roman* Empire into endleſs Ca- " lamities."

I ſhall conclude with this ſingle Remark, that whoever examines the Hiſtory of *Rome* or *Greece*, or any other celebrated Common Wealths, and ſees how they were in almoſt continual Diſorders, Tumults, and Confuſions, if not Civil Wars, occaſion'd by the Faults of their Conſtitution; will bleſs God, that his Lot is fallen under the beſt, and the eaſieſt of all Governments; where the utmoſt Liberty and Safety are join'd together: And I hope, we ſhall be ſo ſenſible of this ineſtimable Bleſſing, as never to attempt to confirm that Character which *Tacitus* gives of our *German* Anceſtors, that *They cou'd no more bear perfect Liberty, than perfect Slavery.*

This, I hope, is ſufficient to ſhew, That the *Journaliſt* had no Reaſon to inſult Dr. *Prideaux*, and thoſe of his Sentiments; who, certainly, are almoſt all the knowing World, with

ſuch

ſuch opprobious Names; as, *O ye unlimitted Slaves! Ye Beaſts of lawleſs Power! Ye lawleſs Levellers of Right and Wrong!* More Modeſty, ſure, became a Man, who was advancing ſuch a *Paradox*; and in Order to juſtify it, gives ſuch a Character of *Cæſar*, as is contrary to all Hiſtory. He, indeed, quotes the Authority of a Poet, whom none quote but for Ornament; and a Poet, ſo injudicious, as that the Facts he mentions of *Cæſar*, contradict the Character he gives of him; and is very remarkable for his *Rants* and *Hyperboles*; which, tho' they may be tolerable in a Poet, are not to be endur'd in a Proſe-Writer; eſpecially, One, who, in debating this Queſtion, pretends to *diſperſe thick, and deceitful Miſts from before weak Eyes.*

F I N I S.

Page 49. Line 8. *for* detected, *read* defeated.